

THE  
HISTORY OF WOBURN,

MIDDLESEX COUNTY, MASS.

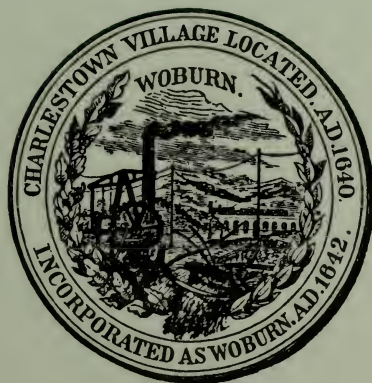
*FROM THE GRANT OF ITS TERRITORY TO  
CHARLESTOWN, IN 1640, TO  
THE YEAR 1860.*

BY SAMUEL SEWALL, M.A.

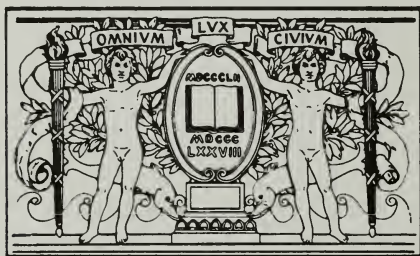
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WITH A MEMORIAL SKETCH OF THE AUTHOR

BY REV. CHARLES C. SEWALL.



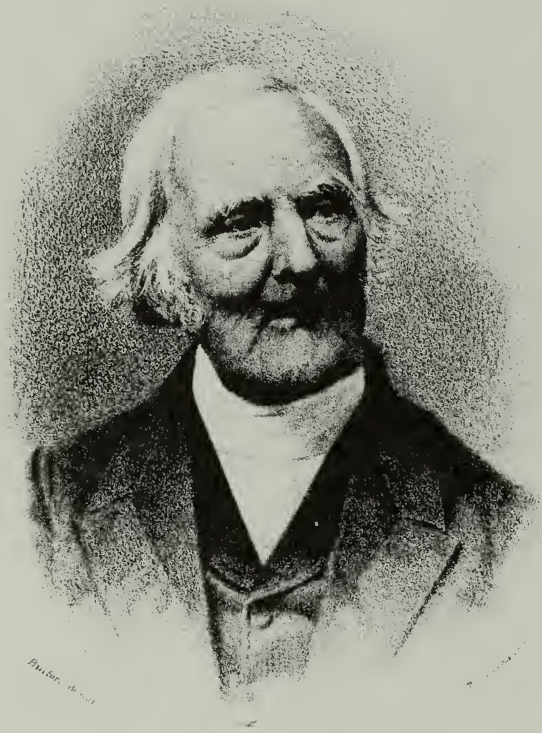
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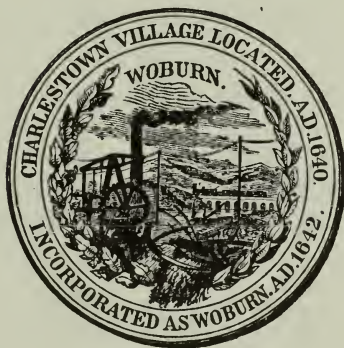
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*to*

THE INHABITANTS OF WOBURN

THIS HISTORY

IS MOST RESPECTFULLY INSCRIBED,

BY THEIR

FRIEND AND HUMBLE SERVANT,

SAMUEL SEWALL.



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## M E M O I R .

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REV. SAMUEL SEWALL, author of this history of Woburn, was born in Marblehead, June 1, 1785, and died in Burlington, February 18, 1868.

He was a descendant of a long line of worthy ancestors, and bore the name of two, who were honored with the highest judicial office of the State. He traced his lineage, also, to one of the distinguished pastors of the Old South Church, in Boston, whose character he contemplated with reverence, and his sacred office with peculiar interest. Hence, probably, was that soberness of thought and feeling, which was so marked a feature of his early years; and that subsequent purity of aspiration and aim, which led him to the office once filled and adorned by his ancestor. Tradition, also, reports, that he was in infancy consecrated by his mother to the service of God in the Christian ministry; and, certainly, the teachings and discipline of parental love and piety seem to have had that end in view.

Having received preparatory instruction at the Academy, in his native town, he entered Harvard University in 1800, and graduated with unblemished reputation, in 1804. Already decided as to the profession of his choice, he at once commenced the study of Theology, at Cambridge; occupying, at the same time, a minor position in the College government. After the usual period of professional study, and being possessed by nature, education and rigid self-discipline, of fitting qualifications for the ministry, he took orders in the Episcopal church, of which his parents were members, and in which he had been accustomed to worship. Having officiated in this church for a short time, at Cambridge, and elsewhere, he became

dissatisfied with its polity and creed, and embraced the principles and service of the Congregational church. He was ordained pastor of the church in Burlington, April 13, 1814. Here, he discharged the duties of the pastoral office with fidelity, and a good measure of success, during a period of twenty-eight years. How great that fidelity and success, though many fruits of it remain, can be fully known only hereafter.

When his connection with the church in Burlington had been dissolved, Mr. Sewall did not relinquish his profession, or relax his interest in the spiritual welfare of his fellow-men. He continued to preach for several years, at North Woburn, and, afterwards, with more or less frequency, in other places. His last sermon was preached at Carlisle, August 11, 1867; and his last public exercise was at the ordination of Rev. Mr. Hudson, now pastor of the church in Burlington, December 19, 1867, when he offered the ordaining prayer.

But, besides the studies and labors of the ministry, which he never neglected, Mr. Sewall was accustomed to pursue, with eagerness and delight, antiquarian and historical researches. In this pursuit, he followed a natural bent of his mind, and was content with only the most thorough and accurate results. His ardent love of truth would not allow him to rest satisfied with any conclusion, respecting which a shadow of doubt remained in his mind. He cherished, in particular, a deep and lively interest in persons and places endeared to him by any special tie, and sought to become familiar with their history. Being pastor of the church in Burlington,—originally a precinct of Woburn,—he felt strong inducement, and used diligent efforts to obtain a precise knowledge of the early settlement and original inhabitants of this town, and of its subsequent municipal and ecclesiastical affairs. He pursued his investigations for many years; foreshadowing, meanwhile, in a series of lectures delivered in Woburn, the results at which he finally arrived. These results were waited for, very naturally, with impatience, by many who were anxious to possess a complete and reliable history of the place of their nativity, or adopted home. The delay, however,

to which they have submitted, will now be more than compensated by the fulness and accuracy of the work, and the exceeding interest with which the narrative is clothed. We venture to assert that a more complete and accurate, or more interesting, local history is rarely to be found. As such, it is now presented to the public, and particularly to the inhabitants of Woburn and its vicinity, with confidence that it will be rightly appreciated by all who shall read it.\*

To sketch, minutely and with justice, the character of him, whose life is now only a memory, would indeed be pleasing to the writer, and might be profitable to others, should it but inspire them with like ardor of excellence, and like hope of grateful remembrance. But the picture of a character so pure and exalted, and a life so unspotted and saint-like, could not be fitly drawn by one so closely and tenderly allied. The impulses of fraternal affection might give it colorings, which, to another's eye, would seem unreal or be invisible. It shall be only said, therefore, that there was in Mr. Sewall,—as is admitted by those to whom he was most familiarly known,—a singleness and purity of mind, a transparent simplicity and gentleness of heart, a dignity and propriety of deportment, and a tenderness and yet peace of conscience, which made themselves felt wherever he was. He possessed a sound mind, and his intellectual attainments were varied and extensive. He sought, as he desired, only the reputation of a good man and a consistent Christian; and was wholly unambitious of any other distinction. His humility often made him distrustful of himself, and too ready to confide in others. With the meekness of wisdom, he mingled the gentleness of charity. True to his own convictions, he never failed to treat with courtesy and respect the convictions of others, however different they might be. Venerating all genuine goodness and greatness, he inspired an uniform confidence in his own sincerity and unaffected simplicity; a belief that he felt whatever he expressed, and that no interest exhibited by him

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\* The author died while this work was passing through the press. For himself, it is said, he only wished to live a few hours longer, that he might see the completion of the work.



was factitious. He lived and moved, he thought and spoke, as if ever in the felt presence of his God. The will of God was the law of his daily life. The strength and joy of his soul sprang from communion with God; and to walk in all the commandments and ordinances of the Lord blamelessly was his constant care and ardent desire. Age shed a ripening influence upon the virtues of his early and maturer years. It gently relaxed the ties which bound him to the world he was soon to leave, while it hallowed the memories and hopes which endeared to him the world he was approaching. It rendered more precious and consoling his own religious belief and trust, while it enlarged his charity and widened his sympathies towards others of every Christian name and sect. Sorrows and the most painful bereavements he had borne with meek submission and unfaltering trust. Sickness and pain could not rob him of the peace of calm, patient, steadfast reliance on the providence of God, and an entire resignation to His will. He knew "Whom he had believed," and his faith in Him never wavered. So death came to him only as an angel of mercy, to release him from mortal pain and decay, and to translate his meek and pure spirit into the blissful presence of his Saviour and his God.



## PREFACE.

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The History of Woburn, which has been for years in a state of preparation, and long expected by the inhabitants of that town, for whose use it was principally intended, is at last finished, and ready for the press.

Before proceeding to the work itself, it seems proper to state briefly what led me to undertake it, and some of the causes, which have since, for so great a length of time, delayed its completion.

This History originated in a series of historical lectures upon Woburn, begun many years ago, and delivered in that town, at different intervals of time. They were at first undertaken at the suggestion, and under the influence of the friendly, persevering persuasion of the late Dr. Benjamin Cutter, a gentleman eminent in this vicinity for his antiquarian taste, his extensive acquaintance with the localities and ancient affairs of Woburn, and his zeal for advancing its credit and welfare. The first two lectures were delivered on two successive evenings in February and March 1842, in the vestry of Rev. Mr. Bennett's meeting-house, before a large and attentive audience. And so well were they apparently received, that I was encouraged to attempt, from time to time, as I was able, the preparation of others on the same theme. The two lectures just referred to were followed in several succeeding years by seven others, delivered in the same place. And in 1859, a tenth lecture was prepared by special request, and given in Lyceum Hall, bringing down the history to the commencement of the Revolutionary War in 1775.

In 1862, the town of Woburn proposed to me, by a committee, to finish, and make ready for the press, the history I had proceeded in thus far, for a liberal pecuniary compensation. This proposal was agreed to, with the understanding, that the town would take charge of publishing the work, and provide for the expense, and that I should have the inspection of the proof-sheets.

At the time this engagement was entered into, I was confident myself, and encouraged the town to expect, that six months would

be amply sufficient for its fulfilment. But certain changes, apparently very necessary or expedient to be made, both in the style, and in the extent of the work, have to my regret, disappointed these anticipations. The Lectures on Woburn history, thus far, had been composed in the style of direct address to a present audience; but now it seemed very desirable to substitute the style of narrative; to publish a history prepared to be read with the eye, rather than one that was apparently designed to be heard with the ear from the lips of the author. The manuscript lectures, too, had hitherto been written on both sides of each leaf; but now, to accommodate the printer, it was deemed advisable to write them over anew, occupying one page only of each leaf, instead of both. Moreover, in the prosecution of the work, it was thought expedient to make certain enlargements beyond what was originally contemplated. In particular, a list of all the men, both citizens and strangers, who were employed by the town as soldiers in the War of the Revolution; and likewise Genealogical Notices of all the known original inhabitants of Woburn down to 1672, and of a certain portion of their descendants in the male line, have been inserted in the Appendix. These additions, and others which might be named, would greatly enhance, it was thought, the value of the work in the estimation of the people of Woburn, and much increase the interest they might take in it. But they have cost me much additional time and labor to prepare them, and have delayed the completion of the history far beyond my own expectations, and the expectations of others. But, through the favor of a kind Providence, my health and strength have held out; and I am able at last to announce to an indulgent community the finishing of a work which I have for years been laboring to prepare for them, and which they for months, or rather, I may say, for years, have been patiently looking to see.

In this Work, with reference to the ecclesiastical affairs of the town, I have aimed to exhibit a complete and impartial history of the First Church and Parish, and a brief account of the other religious societies in the town, down to the present year, 1867. As to matters of civil concern, the principal votes and proceedings of the town, touching the various changes and improvements which have been made in it, since the commencement of the present century till now, will be found embodied, I trust, in the closing chapter. But in regard to the patriotic measures taken and sacrifices made

by the town since the year 1860, respecting the late war, and the events particularly interesting to Woburn people, which transpired in the course of it, I am not provided with the means of giving a full and satisfactory relation of them. An attempt to make such a relation on my part would render necessary numerous fatiguing and perplexing inquiries; and thus still further protract the finishing of this work (too far protracted already), which I am anxious, for several very important reasons, to bring to a speedy close; and I must therefore leave the narration of this portion of the history of Woburn to other and abler hands.

My principal authority for most of the facts presented in this history have been the Woburn Records. (*a.*) But for various statements made herein, I have been largely indebted to the printed works and written communications of several highly esteemed authors and respected friends, whose names I have generally given, as occasion offered to refer to them, in the foot notes attached to this work. But in this connection, I cannot omit mentioning the Genealogical Dictionary of Hon. James Savage, a standard authority upon the genealogy of the early settlers of New England, and without the aid of which, I must often have been deficient in my Genealogical Notices of the primitive inhabitants of Woburn.

I embrace this opportunity for tendering my grateful acknowledgments to the numerous individuals, who, in one way or other, have kindly lent me their aid and encouragement in the prosecution of

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(*a.*) The Woburn Records, which are quoted or referred to in this History, are

1. Nineteen volumes in folio, bound and in excellent order; exhibiting the votes and proceedings of the town at all general meetings from the beginning. Volume 11, of this collection, records the doings of the Selectmen at their meetings held monthly for several years from 1672, agreeably to vote of the town April 13, 1644.

2. Proprietors' book of Records from 1739 to 1765, a thin folio, unbound, much shattered, and in some parts defective.

3. A volume of Treasurer's Records, from 1739 to 1772; a folio, bound in parchment, but a cover now broken off.

4. First Parish Records, in folio, 3 volumes, complete from 1730, when Second Parish incorporated.

5. Records of Births, Marriages and Deaths in Woburn, from 1641 to 1841; originally contained in two volumes folio, but now copied with numerous additions from authentic sources, and collected into one large bound folio volume.

this work, which is now brought to a close. In particular, I would thankfully express my obligations to the gentlemen at the State House in Boston, who at divers times have given me free access to public Records and Documents for examination, and thus have opened to me sources of information, which I could nowhere else find, but in the archives of the Commonwealth. I thank the inhabitants of the town of Woburn for the recent generous encouragement they have voluntarily given me to pursue and finish my labors, beyond what they at first led me to depend on; and to the many respected individuals among them, especially to Cyrus Thompson, Esq., and to Mr. John A. Boutelle, who have furnished me from time to time with much desired and important information. I would make my thankful acknowledgments to the clergymen and others of the different denominations in the town, who, by their timely and acceptable communications, made at my request, have greatly furthered my progress in my laborious undertaking. I would present my warmest thanks to Nathan Wyman, Esq., the Town Clerk, and to Lewis L. Whitney, Esq., Clerk of the First Congregational Parish, for the free use they have generously afforded me of the Records in their keeping, without which, I could have made no advances in the work I have been engaged in.

Nor must I here forget or overlook my obligations to Mr. Bartholomew Richardson, senr., and to Dr. Benjamin Cutter, both now deceased. True, they are no longer here to accept my thanks for their services in aid of the work now completed, or to see and examine it, as they once would have been glad to. But to both of them I owe a debt of gratitude, which it would be base on this occasion to ignore or conceal. From the former gentleman, while he was with us, I derived an amount of reliable and interesting information, which but few, if any other men now living could have given me. And without the counsel, help and encouragement of the latter gentleman, this history would never have been undertaken, much less pursued to completion. And now it is finished, should it in any measure contribute to the entertainment or satisfaction of the good people of Woburn, or yield them any interesting or valuable information, let them be assured that they are indebted for it, in part at least, to him, as well as to

Their friend and humble servant,

SAMUEL SEWALL.

BURLINGTON, September, 18, 1867.



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# HISTORY OF WOBURN.

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## CHAPTER I.

Woburn, originally Charlestown Village, elevated to a Township. — Church gathered; Pastor ordained; Town incorporated, 1642. — Town officers first chosen, 1644. — Streets laid out; common fields authorized. — Johnson's Account of Woburn, 1652. — Successive Divisions of Town's Lands.

WOBURN was originally a grant of land made, 1640, by the General Court of Massachusetts to Charlestown; and, for about two years afterwards, was called "Charlestown Village." The settlement of Charlestown, which is the most ancient town not only in the County of Middlesex, but likewise (Salem and Dorchester excepted) in the Colony of Massachusetts, as distinct from that of Plymouth, had commenced in 1629. In June of that year, Mr. Thomas Graves, a gentleman from Gravesend in Kent, eminent for his skill in surveying and engineering, and in the employ of the Massachusetts Company in London, came there from Salem, with several servants of the Company under his care; laid out the town in two-acre lots; erected a large building for public purposes, called the "Great House;" and with the consent of Gov. Endicott, exchanged the Indian name of the place, Mishawum, for Charlestown, in honor of King Charles I., the then reigning monarch of Great Britain.<sup>1</sup> In the year following, July 1630, a large and select company of Puritans, who had arrived the month preceding at Salem from England, came to Charlestown, with a

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<sup>1</sup> Prince's N. E. Chronology, pp. 181, 188.

view to build and establish themselves there. Among them were Gov. Winthrop, Dep. Gov. Dudley, Mr. Isaac Johnson, husband of the celebrated lady Arbella, and Rev. Mr. John Wilson. These four persons presently formed themselves into a church, and some accessions being made to their number shortly after, they chose Rev. Mr. Wilson, as their pastor.<sup>2</sup> But a majority of the church and others removing within a few months to Boston to reside, another church, viz: the present First Church of Charlestown, was embodied November 2, 1632,<sup>3</sup> consisting of those members who continued to dwell on the north side of Charles River; and of this church, Rev. Mr. Zechariah Symmes was the pastor, and Rev. Mr. Thomas Allen the teacher, in 1640. And now the foundations both of her civil and of her ecclesiastical prosperity being, to human eye, firmly laid, Charlestown began to look around her; and with a view to the accommodation of her increasing agricultural population, she conceived a desire for the enlargement of her original bounds. And being informed of the conveniency of land adjoining her Western border, she presented a petition to the General Court, in May 1640, for the addition of two miles square to her territory in that quarter.<sup>4</sup> This petition of Charlestown was favorably heard by the Court. The land prayed for was immediately granted her, provided it fell not within the bounds of Lynn Village [Reading], and should be built upon within two years.<sup>5</sup> And at a session of the Court in October next following, the grant was enlarged, upon certain conditions, to four miles square.<sup>6</sup> All

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<sup>2</sup> Prince, pp. 240, 243.

<sup>3</sup> Records of 1st Church, Charlestown: Title page.

<sup>4</sup> Woburn Records, Vol. I., p. 3.

<sup>5</sup> Colony Records, Vol. I., p. 290.

<sup>6</sup> Colony Records, Vol. I., p. 306.

(5.) "13 May, 1640. Charlestowne is granted their petition; that is, two miles at their head line, provided it fall not within the bounds of Linn village, and that they build within two yeares." — *Colony Records*, Vol. I., p. 290.

(6.) "7 October, 1640. Charles Towne petition is granted them, the proportion of 4 mile square, with their former last graunt, to make a village; whereof 500 acres is granted to Mr. Thomas Coytemore, to bee set out by the Court, if the towne and hee cannot agree," etc. — *Colony Records*, Vol. I., p. 306.

acts of Court were anciently dated from the first day of the session at which they were passed. As the first session of the Court of 1640 commenced on the "13th day of the 3d month" (13th May), and as the land then granted to Charlestown was explored May 15th, only two days after,<sup>4</sup> the precise date of that grant may be confidently fixed to the second day of that session; viz, the 14th of the 3d month, Old Style; or according to New Style, the modern way of computing time, May 24th, 1640. (See Appendix, No. III.)

The territory thus granted to Charlestown seems, before the arrival of the English upon these shores, to have been the abode, or, at least, a favorite place of resort, of numerous Indians. These were perhaps Pawtucket Indians, so named from Pawtucket Falls in Lowell, which was their principal seat; or (which is more probable) those Indians, whom Prince calls Aberginians, and concerning whom he says, that Charlestown Neck was full of them in 1628.<sup>7</sup> Many years have elapsed since Indians of every tribe have entirely disappeared from this town and vicinity, except a few solitary individuals, the memory of whose names and dwelling places are still preserved by some, or have been till recently. But they have left behind them durable memorials of their former residence here, and of their laborious ingenuity. In all the territory within the original limits of Woburn, (comprehending Woburn that now is, with Winchester, Wilmington and Burlington) multitudes of their stone arrow-heads have been, and some still continue to be, turned up by the plough; stone heads of their spears and hatchets have not un-

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<sup>4</sup> Woburn Records, Vol. I., p. 3.

(7.) "Sept. 13, 1628. Among those who arrive at Naumkeak, are Ralph Sprague, with his Brethren Richard and William; who with 3 or 4 more, by Governor Endicot's consent, undertake a Journey, and travel the Woods above 12 miles Westward, light on a Neck of Land call'd Mishawum, between Mistick and Charles Rivers, full of Indians, named Aberginians. Their old Sachem being dead, his eldest son, call'd by the English John Sagamore, is Chief; a man of a gentle and good Disposition; by whose free Consent, they settle here; where they find but one English House, thatch'd and pallizado'd, possess'd by Thomas Walford a Smith."—*Prince's N. E. Chronology*, pp. 174, 175.

frequently been found; and in Burlington, immemorial tradition still points to a spot within the new cemetery there, on the road to Bedford, as the site of one of their wigwams in former days.

The granting to Charlestown of the land she had petitioned for, was quickly followed by repeated attempts to explore it, and to determine its bounds. On May 15, 1640, Mr. Increase Nowell, magistrate, Rev. Zechariah Symmes, Edward Johnson, Edward Convers, Ezekiel Richardson, Mr. "Hubard," an artist, and some others, went from Charlestown to search the land lying within the two miles square.<sup>8</sup> And September 6th, following, Capt. Robert Sedgwick, Ensign Abraham Palmer, Thomas Lynde, Edward Johnson, Edward Convers, John Mousall, and others, went to view the bounds between this grant to Charlestown and Lynn Village, afterwards Reading. In this latter expedition, some of the company experienced a wonderful preservation, which is particularly noticed in Woburn Records by Johnson, who was one of them, as follows: "Lik Jacobits [Like Jacobites; See Gen. 28: 11] laying them downe to rest where night drue one [drew on] [they] were presarued by the good hand of God with cherfull sperits, thought [though] the heauens powred downe raine all night unessantly. One remarkable prouidence neuer to bee forgotten: sum of the company lying under the body of a great tree (it lying sum distant from the earth) when the daye light appeered, noe sooner was the last man come from under it, but it fell downe to their amasment [amazement], being forced to dige [dig] out their food that was caught under it: it being soe ponderus that all the streneth they had, cold [could] not remoue it."<sup>8</sup>

The use originally designed by Charlestown to be made of this newly acquired territory, was, apparently, to accommodate with farms thereon such useful men as might from time to time be admitted to settle among them, and to promote the building of a village for the improvement of such remote lands as were already laid out.<sup>9</sup> In pursuance of this design, after the land petitioned for was granted and enlarged, a committee of thirteen

<sup>8</sup> Woburn Records, Vol. I., p. 3.

<sup>9</sup> Charlestown Records.



was chosen by the town, November 4th, 1640, which was "to sett the bounds betwixt Charlestown and the Village, and to appoint the place for the village."<sup>9</sup> This committee met November 17, 1640, and came to an agreement upon the matters submitted to them. But in this agreement, the committee, it seems, did not concur unanimously. In reference to it, Woburn records, under the date of the meeting, November 17, 1640, observe, that "it was in part assented to, but afterward denied." A change too in the minds of the people on this interesting subject had now commenced, and was gaining ground. Since the grant of the Court had been enlarged from two to four miles square, a scheme for making a distinct town of it, instead of a village more or less dependent upon Charlestown, had been conceived and was entertained by numbers with favor.

And hence on November 5th, the very day after the appointment of the town committee of thirteen above referred to, the Church of Charlestown chose seven men, viz: Edward Convers, Edward Johnson, Ezekiel Richardson, John Mousall, Mr. Thomas Graves, Samuel Richardson and Thomas Richardson, as commissioners or agents for the erection of a church and town upon the recent grant of Court, where had been designed originally only a village within the limits of Charlestown.<sup>10</sup> By what authority the church took this step, interfering with the action of the town, does not appear. Perhaps they regarded the disposal of

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<sup>9</sup> Charlestown Records.

(10.) Woburn Town Records commence as follows, from the date of the first grant of Court.

"14 of the 3 month [14 May] 1640. A true Relation of the prosseedings of Edward Conuars, Edward Johnson, John Mousall, Mr. Thomas Graues, Samuwell Richison and Thomas Richison, chosen by the Church of Charlestowne for the Erecting of a Church and Towne; which accordingly by great labor was by them performed, and now cal'd the Towne of Woburne." . . . "the 5 of 9 month [5 November] 1640, the persons aboue specified were chosen by the Church of Charlestowne: chosen for the carrying one the affaiers of this new Towne." — *Woburn Records*, Vol. I. p. 3.

Ezekiel Richardson is not named above with the other commissioners, but the omission must have been accidental. He was certainly one of them. For we find the others holding a meeting for consultation at his house, in his turn, on "the 13th of 12th month 1640" [13 February, 1640-1].

the Court's grant as a matter of ecclesiastical as well as civil concernment, and therefore that they were entitled to a distinct voice in it. But however that be, the measure itself seems to have excited no opposition on the part of the town, but rather to have met its entire acquiescence. Six of the seven commissioners chosen by the church were on the committee of thirteen appointed by the town; and it was by the instrumentality of these *commissioners*, not of that *committee*, that the establishment of the town and church of Woburn was at length happily effected.

But many and grievous were the difficulties which they had to encounter, before they saw the accomplishment of their enterprise.

The wild, unsettled state of the country presented many serious obstacles to the discharge of their commission. At the time of their appointment, the whole territory which they were to elevate into a township, as well as all that was adjacent to it for several miles, was an unbroken dreary forest, or a wide uncultivated waste. Hence, beside being frequently exposed to danger or alarm from the wandering savage natives, the commissioners, as they traversed the country in performance of their trust, without beaten roads to travel in, or landmarks to guide them, or houses to shelter them, or friends to extend to them even the most trifling office of hospitality or kindness, must needs have been subjected to hardships, of the severity of which, the present inhabitants of the town can have but faint conceptions. Of their sufferings of this description, one instance on record may be cited as a specimen. As they were engaged, November 9th, shortly after their appointment, in exploring the land about the Shawshin river they were overtaken and lost in a snow storm, and in this sad dilemma they were forced, as night approached, for want of a better shelter, "to lye under the Rockes, whilst the Raine and Snow did bedew their Rockye beds."<sup>11</sup>

Difficulties of this description however they must have anticipated; and fortitude of mind and firmness of bodily constitution abundantly enabled them, in the good cause they were engaged

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<sup>11</sup> Woburn Records, Vol. I., p. 3.

in, to surmount them. But other troubles awaited the commissioners, which probably they were not prepared to meet, and which proved far more trying. Scarcely had they entered on the labors of their commission, before the church of Charlestown suddenly appeared in opposition. Our Puritan fathers, from motives of piety and benevolence as well as of worldly interest, loved to see the haunts of the savage occupied by civilized men; to see towns planted and churches springing up in the wilderness around them. Accordingly, the church above named appears to have cordially aided in procuring the grant of the newly acquired territory, and took a leading part in the plan of settling it as a distinct town. But at a meeting of her own calling, 23: 9 mo. [23 November] 1640, to see who would go up and become inhabitants of the proposed township, a larger number coming forward than had been expected, she instantly conceived a fear that the loss of so many emigrants would in a manner "depopulate Charlestown," or do her material injury in that day of small things.<sup>11</sup> And now under the influence of this apprehension, which time showed to be groundless, she began to discountenance this enterprise of her own devising or encouraging, and to watch all who were in favor of it or disposed to engage in it, with a jealous eye.<sup>11</sup> But though opposition from such a quarter must have been unlooked for, and very disheartening to the commissioners, yet, happily, it was of but short continuance. The church appears to have soon found that the spirit of emigration which she herself had helped to raise and foster, she could not check or put down at will. She therefore prudently yielded to circumstances; and within a fortnight from the time she began to frown upon their work, full power was given to Edward Convers and Company to go on with it anew.<sup>11</sup>

The obstruction which the church of Charlestown had thrown in their way being thus removed, the commissioners for the erection of the new church and town, resumed with fresh zeal the work of their appointment. Among their first cares for this end, agreeably to the usual practice of our pious ancestors in such

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<sup>11</sup> Woburn Records, Vol. I., p. 3.

cases, was the observance of a day for solemn humiliation before God, and for supplication of his aid and blessing in their arduous undertaking. Under date of December 22, 1640, Johnson notes in the records, "considering the waytines [weightiness] of the worke, and the weaknes of the persons, this day was sett appart for humble seeeking of God by prayer and fasting for helpe in a worke of soe great consiquence; which was performed at the hows of John Mousall by the forenamed persons and their wiffs [wives], the Lord assisting."<sup>11</sup>

About this time, they commenced a series of meetings, held in rotation, at their respective houses in Charlestown, for consulting on the affairs of the contemplated town, and adopting measures in reference to its settlement. Their first meeting for these purposes was held December 18th, at the house of Mr. Thomas Graves, when they agreed upon Town Orders (Appendix No. 1), and chose Edward Johnson Recorder or Town Clerk.<sup>11</sup> At like meetings in the two following months, they admitted many to set down their dwellings in the proposed plantation; though some of them (to use the words of the Recorder), "being shallow in brayns, fell ofe [off] afterwards."<sup>11</sup> And, on February 10th, 1640-1, they built a bridge over the Aberjona River for their own and the public accommodation, and perhaps too as an earnest of their resolution to go up and possess the land. This bridge, the first that was built in Woburn, they called Cold Bridge. It was in after times better known as the "Convers' Bridge," from the name of the proprietor of the adjacent mill; and as it is said in the records to have been laid "over against Edward Conuars' hows," it is inferred that that house, which continued many years in the occupation of that distinguished family, and the site of which is still well remembered, was either already standing when the bridge was built, or that it was erected immediately after, and before the entry just quoted from the records was made; and that it was the first built dwelling-house in Woburn.<sup>12</sup>

February 8th, 1640-1, the commissioners came from Charles-

<sup>11</sup> Woburn Records, Vol. 1., p. 3.

<sup>12</sup> Woburn Records, Vol. I., p. 4.



town to find a suitable location for their projected town. After two days' search, they pitched for this purpose upon a spot at the east end of the Court's grant, which they quickly afterwards laid out. And at a meeting at Ezekiel Richardson's, February 13th, they directed all who intended to become inhabitants, to meet on the ground, February 16th.<sup>12</sup> The place selected as the site of the proposed town, was unquestionably the plain on the borders of the Aberjona River, and near the place which it was designed, at a recent day, to cultivate as a silk farm. But the selection was not made by the commissioners with unanimity. The spot chosen did not meet the views of a considerable proportion of the expected settlers; and at the same time, Mr. Nowell, Mr. Symmes, and other gentlemen of note and principal influence in Charlestown, gave them no small discouragement from going there to build.<sup>12</sup> Hence, when the persons notified came there, February 16th, the day appointed, to the number of forty, though they busied themselves in marking trees, and laying bridges, yet (say the Records) "the way was so playen [plain] backward, that diuers neuer went forward againe."<sup>12</sup> These checks given them by patrons or superiors in standing, and these tokens of fickleness or faint-heartedness on the part of associates in their enterprise, must necessarily have caused the commissioners much perplexity and trouble. But they notwithstanding persevered in their work; and February 29, 1640-1, within a fortnight from the last-mentioned date, by the advice of a committee appointed by Charlestown to confer with them, consisting of Mr. Nowell, Captain Sedgwick, Lieut. Sprague, and others, they abandoned the site which they had first selected for private dwellings and a meeting-house, and decided upon another farther west in its stead. To this spot, which is now in and around the centre of the town, they came in March and May following, and laid out house lots; and, upon some of these lots at least, buildings were doubtless erected in the course of that year.<sup>12</sup>

By this arrangement, another serious obstacle in the way of

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<sup>12</sup> Woburn Records, Vol. I., p. 4. See Appendix, No. II.

the commissioners was removed; but their difficulties and trials were not yet terminated. (They were still doomed to suffer repeated and grievous disappointments in their efforts to obtain an able minister for the town, whose foundations they were laying.) This, with our Puritan ancestors, was a point of paramount importance to secure. Their main errand in coming to this country was of a religious, not a secular nature; and hence, as Capt. Johnson, one of the principal founders of Woburn, observes, "it was as unnatural for a right New England man to live without an able ministry, as for a smith to work his iron without a fire."<sup>13</sup> The stated and able ministration of the word and ordinances of the gospel was a privilege for which the first settlers of this land, generally speaking, were ready to make any, even the most costly sacrifices; and scarcely any of them felt willing to seat themselves down in a place where there was not, at least, a comfortable prospect of speedily enjoying it. Of all this, the commissioners for building up Woburn were fully aware. The acquisition of a good and faithful minister of Jesus Christ was not only their own hearts' most earnest desire, but, in their view, it was a matter of essential importance to the prosperity of their infant plantation. Hence the question, Whom should they get for a minister? had been a subject of serious discussion at their meetings in Charlestown the preceding winter. And now, at the present stage of their enterprise, they determined, without delay, to commence vigorous exertions to procure some one, on whom they could rely for the faithful discharge of the sacred office among them. And yet the repeated failure of these exertions was long a cause to them of sore mortification, and at times, to some of their number, almost of despair.

The person to whom they first applied to become their minister was Rev. Jonathan Burr. This gentleman, who came to this country in 1639, had been a clergyman of high repute in England for piety and learning, and had just now received a call to settle over the church in Dorchester, as colleague with Rev.

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<sup>13</sup> Wonder Working Providence, B. II., Chap. 22.

Richard Mather.<sup>14</sup> But from certain reported differences between him and Mr. Mather, the first settlers in Woburn seem to have imbibed an opinion that he was disposed to quit Dorchester, and might be induced, upon application, to come and be settled over them. Accordingly, "divers" (commissioners and others,) went from here March 17, 1640-1, to speak to him on the subject, to whom he gave "good incorridgment to go one [on]; God would prouid" [provide]; and withal, led them to expect that he might ultimately comply with their wishes.\* But the differences which had existed between him and his senior colleague, Rev. Mr. Mather, were soon healed;<sup>14</sup> and his friends at Dorchester, after repeated visits to this incipient plantation, being dissatisfied with its local advantages,<sup>15</sup> probably advised him not to remove from where he then was. Influenced doubtless in some measure by their feelings and views in this matter, Mr. Burr returned, May 10, 1641, a negative answer to the invitation given him from this place;<sup>16</sup> and, though afterwards urged anew,<sup>16</sup> he could not be persuaded to revoke it. He remained at Dorchester, and died there, deeply lamented, August 9th of the same year, 1641.<sup>14</sup>

At Mr. Burr's declining a settlement in this place, "most harts grew fainte,"<sup>16</sup> and even a majority of the commissioners began to be discouraged.<sup>17</sup> But there were three, at least, of the seven, whose resolution no adverse occurrences could shake, no obstacles turn from their purpose.<sup>17</sup> Conscious of the rectitude

<sup>14</sup> Allen's Biography.

\* Woburn Records, Vol. I., p. 4.

<sup>15</sup> "The 20th of 1. mo. 1641, Mr. Burr's friends came againe, and brought men with them to vew the land, espetially the medow." Wob. Rec. I., p. 4.

"24 of 3d mo. [May] 1641, Mr. Burr's freinds came againe with fresh men, whos minds were much for medow, and their jugments short in what they saw." Town Records, Vol. I., p. 4.

<sup>16</sup> "10: 3d mo. Meeting at Thomas Richison's: Mr. Burr declined; and most harts grew fainte."

"29: 3d mo. Mr. Thomas Graues and Edward Johnson were sent to Mr. Burr, who was loth to giue a full answer." T. Records, Vol. I., p. 4.

<sup>17</sup> See the several statements in this paragraph, and others connected with it, concerning "a majority of the commissioners," and respecting "three" of their number, illustrated and confirmed in certain Lines in verse, composed by one of them, Captain Edward Johnson, prefixed by him to the Town Records, Vol. I., p. 1, and copied in Appendix, No. II., of this work

of their motives and aims, they repaired again, in that dark and gloomy day, to the Lord, and in return obtained light and encouragement from above. Under date of the 25 of 6 mo. [25 August] 1641, we read in the Records, "Things going heauily one [on], and many Blocks in the waye, espetially sum of their own Company disheartening, this day was set apart for humble seeking the Lord by fasting and prayer: whom they found gracious in keping upp the sperits of sum to the worke."<sup>18</sup> And now, strengthened by the pious exercises of this solemnity, three at least of the commissioners<sup>18</sup> proceeded with their enterprise with fresh resolution and courage. The next day, they built a bridge over Horn Pond River, — a work, at that time, attended with great labor and difficulty. "The place was soe boggy," say the records, "that it swallowed up much wood before it cold [could] bee mad pasable," [passable] and yet they finished the bridge the same day, and called it "Long Bridge."<sup>18</sup>

Shortly after, they made a new effort to procure a minister. Two messengers went to Rowley, October 25, 1641, to make proposals to Rev. John Miller,<sup>18</sup> a clergyman recently from England, and then an assistant to Rev. Mr. Rogers, pastor of the church in that town; but finding Mr. Rogers "loth to part with him," they forbore urging him any further.<sup>18</sup>

In less than a fortnight after, the commissioners spake on the same design to Mr. Thomas Carter, a candidate for the ministry from England, and then a resident at Watertown. And receiving some encouragement of help from him, they proposed to the

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<sup>18</sup> Woburn Records, Vol. I., p. 4.

Rev. John Miller had been an ordained minister in England. Upon coming to this country, he was admitted as a member into the Church of Roxbury. After leaving Rowley, about 1642, he was ordained the pastor of the Church of Yarmouth, on Cape Cod, and continued there as late as 1651. Subsequently, he became a preacher of the gospel at Groton; but died, while the people there were taking measures to settle him over them. The following notice of his death is from the Records of 1st Church, Roxbury: "1663, June 14, Mr. John Miller, Preacher of the Gospel at Groyton, sometime pastor of the Church at Yarmouth, rested from his labors." See also Johnson's *Wonder Working Providence*, Book 11, chap. XI., Butler's *History of Groton*, p. 155, and *American Quarterly Register*, Vol. XI., p. 259.



church of Charlestown (of which several of them were members), that they might hold public worship at the village.<sup>19</sup> The church granted their request, and also lent them for one Sabbath the aid of their pastor, Rev. Mr. Symmes; who accordingly, November 21, 1641, preached here the first gospel sermon probably, that had ever been delivered in this portion of the New England wilderness. His text was from those appropriate words, Jeremiah iv. 3. "Thus saith the Lord to the men of Judah and Jerusalem, Break up your fallow ground, and sow not among thorns."<sup>19</sup> Mr. Carter likewise, in fulfilment of the expectations he had raised, preached, December 5th, at this place for the first time, out of Genesis xxii., "incorridging to trust in the Lord for the means."<sup>19</sup> From this time, the people here, by the commissioners, frequently renewed their applications to him to become their minister. And as a pledge of their good will, and of their earnest purpose to sustain him in his work, they set about building a house for the ministry.<sup>20</sup> But it was long before he could be persuaded to enter into any permanent engagement with them. Though solicited again and again, he was for months unwilling to promise anything more than occasional help; and this, the records observe, "was uery [very] seldom."<sup>20</sup> At length their importunity prevailing with him to spend with them a day of humiliation, April 14, 1642, he afterwards gave them good encouragement to hope for his constant services, and passed two Sabbaths with them in succession. Thenceforth their expectations of attaining the great object, which they had so long sought, and labored and prayed for, began to brighten, and with some short interruption<sup>21</sup> continued to increase. At last, hoping to enjoy Mr. Carter's permanent services in the ministry, those among them who were connected by covenant with the church of Charlestown requested, June 5, 1642, that they might be dismissed. That church received their request at first with reluctance, and put them off for a fortnight. Then, after much agitation, she voted them a dismissal, and her consent that they might be gathered into a church.<sup>20</sup>

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<sup>19</sup> Woburn Records, Vol. I., p. 4.

<sup>20</sup> Woburn Records, Vol. I., p. 5.

The First Congregational Church in Woburn was gathered with much solemnity August 14, O. S. or August 24, N. S., 1642, (Appendix III.) The proceedings in this interesting transaction are minutely related by Capt. Edward Johnson, one of the principal founders of this church, and clerk of the town at that time, both in the Town Records <sup>21</sup> and in his celebrated history of New England, entitled "The Wonder-working Providence of Zion's Saviour." <sup>22</sup> From these authorities, we learn that there were present, on the occasion, the elders and messengers of several of the neighboring churches and others; particularly Rev. Messrs. Symmes and Allen of Charlestown, Wilson and Cotton of Boston, Shepard of Cambridge, Dunster, President of Harvard College, Knowles of Watertown, Allin of Dedham, Eliot of Roxbury, and Mather of Dorchester, — ministers, whose praise is still in all the churches of our land. Mr. Increase Nowell of Charlestown, likewise one of the magistrates of the colony, was there, agreeably to an opinion then and long afterwards prevalent, which deemed it a duty for one or more of the magistrates to be present on such occasions, for the prevention of errors and proceedings that might breed disturbance in the Commonwealth; and also for giving countenance and encouragement to so good a work. <sup>22</sup> These all being assembled, about 8 o'clock of the morning on the day just mentioned, Mr. Symmes "continued in prayer and preaching about the space of four or five houres." Then the persons to be embodied in a church state, viz: John Mousall, Edward Johnson, Edward Convers, William Learned, Ezekiel Richardson, Samuel Richardson and Thomas Richardson, stood forth, and made declaration, one by one, of their religious faith and Christian experience; confessing "what the Lord had done for their poor souls by the work of his Spirit in the preaching of his Word and Providences." <sup>22</sup> And here the elders and messengers present had liberty to propound any question to them for their better understanding of them in any point they

<sup>21</sup> "16 of 3 mo. [16 May] 1642. They [the Commissioners] were disharpened by too [two] of their company taking of Councill." Town Records.

<sup>22</sup> Woburn Records, Vol. I., p. 5.

<sup>22</sup> W. W. Prov. B. II., Chap. XXII., p. 175-181.

doubted of; and all at length being satisfied, the persons to be gathered, manifested their consent to their covenant in words expressed in writing to this purpose.

“We that do assemble ourselves this day before God and his people, in an unfeigned desire to be accepted of him as a Church of the Lord Jesus Christ, according to the Rule of the New Testament, do acknowledge ourselves to be the most unworthy of all others, that we should attain such a high grace, and the most unable of ourselves to the performance of any thing that is good, abhorring ourselves for all our former defilements in the worship of God, and other wayes, and resting only upon the Lord Jesus Christ for attonement, and upon the power of his grace for the guidance of our whole after course, do here, in the name of Christ Jesus, as in the presence of the Lord, from the bottom of our hearts, agree together through his grace to give up ourselves, first unto the Lord Jesus, as our only King, Priest, and Prophet, wholly to be subject unto him in all things, and therewith one unto another, as in a Church Body, to walk together in all the Ordinances of the Gospel, and in all such mutual love and offices thereof, as toward one another in the Lord; and all this, both according to the present light that the Lord hath given us, as also according to all further light, which he shall be pleased at any time to reach out unto us out of the Word by the goodness of his grace: renouncing also in the same Covenant all errors and schismes, and whatsoever by-wayes that are contrary to the blessed rules revealed in the Gospel, and in particular, the inordinate love and seeking after the things of the world.” “Every Church hath not the same for words; for they are not for a form of words.”

And now having entered into covenant, the elders present extended to them the right hand of fellowship, in the name of the churches to which they respectively belonged; thereby acknowledging them to be a true and regularly gathered church of Christ.

The establishment of a church in Woburn was soon followed by the ordination of its first pastor. For some time before the church was gathered, Mr. Thomas Carter had been “exercising his gifts of preaching and prayer among them;” and continuing afterwards to do so with acceptance, the church called him to

the pastoral office, and he was ordained over them November 22, O. S. or December 2d, N. S., 1642.<sup>22</sup> On this occasion, the same churches appear to have been sent to for their presence and aid, as at the *gathering* of the church, and the same pastors to have attended that did then, except Rev. Mr. Knowles of Watertown, who was absent on a special mission to preach the gospel in Virginia.<sup>23</sup> This ordination has long been celebrated from the circumstance, that "imposition of hands," the distinctive ceremony of such solemnities, was performed by laymen. Congregational principles, as afterward set forth in the Cambridge Platform, recognize the right of a church to ordain its pastors by the hand of its ruling elders, or other members duly appointed thereto. But they likewise allow the propriety of imposition of hands on the candidate by the elders of other churches present, at the request of the ordaining church, when it has no elders of its own to do it, as was the case in this instance at Woburn.<sup>24</sup> And this latter method of ordination, a little varied, soon became, and still continues to be, the common custom of the country. It was recommended to Woburn church, at the ordination of Mr. Carter. "Some difference there was," observes Gov. Winthrop in his History, concerning this transaction: "Some difference there was about his ordination. Some advised, in regard they had no elder of their own, nor any members very fit to solemnize such an ordinance, they would desire some of the elders of the other churches to have performed it; but others, supposing it might be an occasion of introducing a dependency of churches, and so a presbytery, would not allow it. So it was performed by one of their own members, but not so well and orderly as it ought."<sup>25</sup> Johnson's account of it is, that after Mr. Carter had exercised in preaching and prayer the greater part of the day, "two persons" (of whom he himself was doubtless one) "in the name of the church, laid their hands upon his head, and said, 'We ordain

<sup>22</sup> W. W. Prov., Book II., Chap. XXII., p. 175-181. For the present Articles of Faith and Covenant in the First Church of Woburn, see Appendix, No. IV.

<sup>23</sup> Woburn T. Records, Vol. I., p. 5. Allen's Biog. under Knowles.

<sup>24</sup> Platform, Chap. IX., § 3, 4, 5.

<sup>25</sup> Savage's Winthrop, Vol. II., p. 109, 110.



thee, Thomas Carter, to be Pastor unto this Church of Christ.'"  
"Then one of the elders present being desired of the church, continued in prayer unto the Lord for his more especial assistance of this his servant in his work;"<sup>22</sup> and the others held out the right hand of fellowship to him.<sup>20</sup>

In the interval between the gathering of the church, and the ordination of its first pastor, Woburn was incorporated as a town. Its territory was granted originally to Charlestown, on condition that it should be built on within two years.<sup>5</sup> This condition had been fulfilled. And now that a church had been embodied among its inhabitants, and there was a fair prospect of the speedy settlement of a minister over them, (provisions, to which paramount importance was attached by the early legislation of Massachusetts, in their establishment of towns and parishes) the way was fully prepared for granting this people the privileges of a town. Accordingly, at a session of the General Court, which commenced the "8th of 7 mo." or September 8th, 1642, and was continued by adjournment to the 27th of the same month, the town was incorporated. The Act of Court for this purpose is contained in these five words: "Charlestowne Village is called Wooborne."<sup>26</sup> And as the record of this Act of Incorporation is subsequent to the record of the above adjournment, the earliest date that can be assigned to that Act is September 27th, O. S., or October 6th, N. S., 1642.

Thus the permanent settlement of this place, which had been undertaken by the Commissioners for the work, under circumstances of great discouragement, and perseveringly carried on by them and others through the midst of oppressive labors and disheartening difficulties and trials, was at length happily accomplished. By the date of its incorporation, Woburn was the twentieth town in the Massachusetts Colony, as distinct from that of Plymouth; and the twenty-ninth of those three hundred and thirty-one cities and towns which constituted the State of Massachusetts in 1855. At the time it was first legally recognized as a town, not one of those which now immediately border

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<sup>26</sup> Mass. Col. Records, Vol. II., p. 23. Why this name was given to Woburn at its incorporation, see Appendix, No. V.

upon it, had received a corporate existence. Even Reading, the plantation of which was commenced earlier than that of Woburn, was still known only as Lynn Village. Then, the incorporated towns nearest to Woburn were Rowley and Ipswich on the north, Salem and Lynn on the northeast, Charlestown on the east, Cambridge on the southeast and south, and Concord on the southwest. On the west and northwest, all within the present bounds of Massachusetts, saving Newbury and Salisbury, was as yet a wilderness, uninhabited by man, except by Indians dwelling in scattered wigwams, or in a few denser settlements, such as Nashoba, now Littleton, and Pawtucket, now Lowell.

The first general meeting held in Woburn after the grant to it of corporate privileges was on November 9, 1643. Then an order was passed, imposing a fine of eighteen pence, for the use of the town, upon every one who should absent himself from any public meeting without a reasonable excuse. Committees also were appointed to look after fences, to parcel out meadows, and to lay out a common field, to be afterwards divided by lot among them that should have share therein.<sup>27</sup> But for reasons that can now be only conjectured, there was no general choice of town officers till April 13, 1644, above a year and a half from the Act of Incorporation. At a public meeting on that day, it was voted, with the general consent of all the freemen and other inhabitants then present, that a choice should be made annually, from among the freemen of the town, of seven men (or of a less number in after time, when the town should be more settled), who should have power to order the prudential affairs of the town, and who should continue in office till "the first third day of the weeke in the first month" (that is, till the first Tuesday in March) in the next year, when a new choice should be made. The following Orders likewise were agreed upon for the future direction of their Selectmen :

1. They should always give public notice when any rate or assessment was to be made upon the inhabitants, "to the end, men "may shew their grevance if any bee; and mutual love and agree-  
"ment may be continued, by takeing ofe [off] the burden from  
"the oppressed."

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<sup>27</sup> Woburn Records, Vol. I., p. 5.

2. When any scruples should arise in their minds, in the transaction of the affairs of the town, they should repair to the elder or elders of the church in the said town for advice.

3. They should alter no man's propriety in the town without his free consent.

4. They should meet once a month, at the least, upon the town's business; and keep a record of all orders concluded by the major part of them for the good of the town; and that they should give an account in public at the year's end of their disbursements and disposal of the town's stock and land.<sup>28</sup>

On the same day, they chose Edward Johnson, Edward Convers, John Mousall, William Learned, Ezekiel Richardson, Samuel Richardson and James Thompson for their first Board of Selectmen; William Learned, Constable; and Michael Bacon, Ralph Hill and Thomas Richardson for Surveyors of Highways.<sup>28</sup>

Though Woburn had now acquired the name and privileges of a town, yet much remained to be done to redeem it from its former wilderness condition. House lots had been marked out in the centre and some other places, a house for their minister and a few other scattered dwellings had been built, and a meeting house was either then, or shortly after, erected. But no streets leading to and by their respective places of abode had been completed, no roads for intercourse with other towns had been established, and their territory as yet lay in great measure common. Hence as soon as the incorporation of the town and the settlement of its minister were over, the laying out of streets and highways, and the distribution of the lands, were necessarily among the first subjects of attention to the people. Accordingly, in November, 1645, three streets or highways were laid out, one called Upstreet<sup>29</sup> and the other two running into Upstreet, called Sawpit

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<sup>28</sup> Woburn Records, Vol. I., pp. 5, 6.

<sup>29</sup> It would be exceedingly difficult at the present day to determine with certainty the position of the several streets or highways that were first laid out in Woburn.

Upstreet is described in the Records (vol. I, p. 7) as "leading to Shawshin," and there are strong reasons for supposing that it ran from the centre of the town northerly towards Wilmington, and southwesterly from

Lane<sup>30</sup> and Military Lane.<sup>31</sup> In April of the next year, 1646, two other highways were laid out, viz., Plain Street and Driver's Lane. *Plain Street* is described in the Records<sup>32</sup> as "leading to Cambridg mill and towne the one way and to Upstreet and Shawshin the other waye," and seems evidently to be the road which now goes over the plain in the west side of the town to Cutter's mill (formerly so called) in West Cambridge, and which, in coming in the direction towards Woburn, divides near Kendall's mill, into two branches, the easterly branch passing the late Capt. Joseph Gardiner's house, and leading to Upstreet, and the westerly branch into the road towards the Shawshin in Burlington.

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the same point into Pleasant Street by the house formerly occupied by General Thompson to the George Richardson house, and thence to the house formerly of Benjamin Simonds, now owned by Jesse Cutler, and thence by Mr. John Cummings, jr.'s house to the Shawshin or Hodge Hole meadows in Burlington. But the late Dr. Benjamin Cutter (a gentleman very thoroughly acquainted with Woburn localities) was of opinion that Upstreet, in coming from Wilmington, entered Bedford Street at Mr. George Flagg's, and proceeding thence to the house of Mr. George Richardson, went from there to the houses of Messrs. Jesse Cutler and John Cummings, jr., towards *Shawshin* as mentioned above.

<sup>30</sup> Sawpit Lane, running into Upstreet, according to the Records, appears to have been a highway diverging from the northerly part of Upstreet towards Wilmington through or near what are still called, it is said, the Sawpit Woods, toward Reading.

<sup>31</sup> Military Lane, though long since forgotten, was recognized by name in a Report of the Selectmen made January 28, 1731-2, in the case of a complaint to the Selectmen by Thomas Reed against Jeremiah Center for stopping up the way leading from Reed's house to the meeting-house. In that Report, Military Lane is described as the highway "which leads from our meeting-house through the Training field by the said Jeremiah Center's and Thomas Reed's into that Highway leading to Shawshin, known by the name of Upstreet"<sup>a</sup>. Thomas Reed's house here referred to is presumed to be that lately occupied by Mr. Silvanus Wood, senr., deceased. Military Lane then, after leaving the meeting-house (then standing on the hill east of the Common) and passing over the Training Field into Pleasant Street, proceeded thence to the school-house of the sixth District, lately taken down, and there entering the narrow lane by or back of that school-house, went on by Mr. Center's to Mr. Wood's house, where it met a branch of *Upstreet* coming from Mr. John Cummings, jr.'s corner, and thence went on with that to *Shawshin*.

<sup>32</sup> Records, Vol. I., p. 9.

<sup>a</sup> Woburn Records, Vol. I. *inverted*, p. 69.



Drivers' Lane appears to have been principally intended for the driving of cattle to some common pasture on the plains at the West Side. It was laid out from Kingsford, at the Aberjona River, to Plain Street, one rod wide on the land of Mr. Zechariah Symmes on one side, and one rod wide on the land of Edward Convers' on the other,<sup>33</sup> and was probably that road which now goes from the site of the ancient Convers' mill by Winchester meeting-house to "Plain Street," on the road to West Cambridge, at Mr. Loring Emerson's.

In the Summer and Autumn of the same year, 1646, provision was made for the construction of roads to Reading and Mystic Bridge,<sup>33</sup> now South Reading and Medford. In December 1647, a committee was appointed to lay out a highway from "the three Richisons to the Towne meeting-hows one way, and Mr. Thomas Graves the other way,"<sup>34</sup> which was doubtless the commencement of the road "known from time immemorial as Richardson's Row.

The incorporation of Woburn, 1642, as a distinct town, rendered it very desirable to establish the divisional line between it and Charlestown as soon as possible. And yet for several years this necessary measure, from some cause or other, was still undetermined. While Woburn was yet Charlestown village, an agreement had been entered into by a committee of thirteen, for fixing the bounds between the village and the parent town; but this agreement had been subsequently "*denied*," and the labors of the committee frustrated.<sup>35</sup> When three years and upwards had elapsed from the incorporation of the town, and this important question still remained to be decided, it was agreed at a general meeting at Woburn, March 17, 1646, to send to the Selectmen of Charlestown the following letter.

"To our much Respected and approued good ffreinds of Charlestowne chosen to order the prudentiall affaiers thereof:

"Much Respected and Aintient ffreinds:

"Wee are Bould to interupt your presant pressious Impliments with Request for Issue of those things which Sartaine of our Beloued

<sup>33</sup> Records, Vol. I., p. 9.

<sup>34</sup> Records, Vol. I., p. 12.

<sup>35</sup> Woburn Records, Vol. I., p. 3.



Brethren among you were Chosen unto. Now our humble Request is, that they may End it forthwith. If otherwise they cannot so doe, our further Request is that sum others unintrested in the things may put a ffreindly Isue (Issue) to the same. Our last Request is, that if nether of these will doe, then in a brotherly and ffreindly way to petistian to the General Court: that wee may not bequeth matter of diferenc to our posterity. Thus, with hope of a presant answer in writing to our soe Reasanabl Request,

“Wee Remaine yours to bee Comanded

“in all saruis of loue in Christ our Lord.”<sup>36</sup>

To this friendly letter, in which Christian courtesy and firmness in insisting upon their just rights are equally conspicuous, no response appears to have been made, and no effectual action taken in the premises by Charlestown for three years more. On the 3: 1 mo: 1649, Edward Johnson, Edward Convers, John Mousall and John Wright, four of the seven Selectmen of Woburn were appointed a committee “to speake with our Brethren of Charlestown about the settling the Bounds sudenly betweene them and us.”<sup>37</sup> This quickening message seems to have led soon after to the appointment of a committee mutually chosen by Charlestown and Woburn, who brought to a final issue this and other important questions connected with it, July 29, 1650. Their report was subscribed Dec. 16, 1650, not only by the committee, but by the Selectmen of Woburn, and by two leading members of the church of Charlestown, in token of their approbation of it; and was entered in full upon Charlestown records. The following is a transcript of their return, as copied from those records by Nathan Wyman, Esq., town clerk of Woburn.

“The 29 of the V month, [29 July,] 1650.

“Whereas wee Robt. Sedgwicke, Ralph Sprague, Tho. Lyne and Robt. Hale being chosen by the Ffreemen of Charlestowne & the Ffreemen of Wobourne mutually to settle the bounds betweene y• two Townes afforesaid, as also to appoint what quantity of Land should be laid to the Lots, & Ffarmes y<sup>t</sup> are adjoining to Charles-

<sup>36</sup> Woburn Records, Vol. I., pp. 8, 9.

<sup>37</sup> Woburn Records, Vol. I., p. 14.

towne Common on y<sup>e</sup> East side of Samll. Richesons ; & also to appoint where the Line shall devide the two Townes in all places where y<sup>e</sup> Land of both Townes doe joyne together, as also to appoint what quantity of Land the said Charlestown shall have from Wobourne in consideration. . . . of Charlestown's resigning up those Lotts & Commons wch. were in the old Bounds of Charlestowne, unto the Inhabitants of Wobourne :

“ This first wee agree upon : That the Line of devision between the two Townes shall runne from Cambridge Line by y<sup>e</sup> Northwest end of Mr Nowell's Lott <sup>6</sup> & so all along bettwene Mr. Sims's Ffarme & Edward Convers's Ffarme untill it come to the East side of them adjoyneing to Charlestowne Common.

“ Also we have agreed & determined y<sup>t</sup> Wobourne shall have five hundred Acres of Land out of Charlestowne Common for the use of those Lotts & ffarmes before mentioned ; the which five hundred Acres shall begin at the East Corner of Edward Convers's ffarme, next Mr. Sims's ffarme, & so by all along by the East side of those Lotts, & so up to Charlestowne head Line, of such a breadth as shall take in the five hundred Acres ; and y<sup>t</sup> the sd. Wobourne (according to theire promise) shall make and maintaine a sufficient ffence of two Railes to runne even in that Line, that shall devide bettwene the five hundred Acres & Charlestowne Common ; and that Raile shall bee the bounds bettwene the two Townes on that side.

“ Allso wee agree That all the [Tracts?] of Common & Waste Land y<sup>t</sup> lye bettwene Cambridge Line & the five hundred Acres (above mentioned) shall belong unto Wobourne.

“ Likewise wee agree that Charlestowne shall have three thousand Acres of Land out of the Bounds of Wobourne, in consideration of those Lotts & Commons the which is resigned up to

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<sup>6</sup> This end of the divisional line agreed upon between Charlestown and Woburn, running from Cambridge [West Cambridge] bounds over the hills to the Northwest corner of “ Mr. Nowell's lot,” remained, till very recently, unchanged ; leaving the extensive tract of land, known, till lately by the name of Charlestown End, and including the Gardner Farms, the farm of Mr. Luke Wyman, etc., etc., within the bounds of Charlestown. But by annexing to the other end of the line as here described, the 500 acres of commons with the lots and farms attached, which Charlestown by this agreement ceded to Woburn, and which comprised much of the land at Richardson's Row, and in South Woburn (now Winchester) the actual dividing line in this quarter was carried considerably to the East.

Wobourne out of Charlestowne Lands; and that the three thousand Acres shall lye in the place where Capt. Johnson & Saml. Richeson and others of Wobourne did shew us: That is to say, to begin at the uttermost Corner Northerly next Reading Line, & so to runne Southerly along two miles deepe on the East side of Shawshin [Billerice] Line till the full extent of the three thousand Acres bee out.

"Witness our hands this 16. of the X month [Dec. 16,] 1650. Subscribed by those appointed to order the Prudentiall affaires of the Towne of Wobourne.

"EDWARD JOHNSON  
JOHN MOUSALL  
JAMES TOMSON  
EDWARD CONVERS  
RALPH HILL  
SAMPL. RICHESON."

"ROBT. SEDGWICKE  
THOS. LYNDE  
ROBT. HALE  
INCREASE NOWELL  
JOHN GREENE." <sup>38</sup>

The appropriation of the town's lands to individual inhabitants was also, of course, another object of deep interest to the people, and of their early attention. The disposal of the land in Woburn, was originally vested in Charlestown, which appears accordingly to have made numerous grants of it to divers of its citizens, before Woburn was erected into a distinct township. <sup>39</sup>

<sup>38</sup> Charlestown Records, Vol. I., pp. 90, 91.

For the ultimate disposal of the 3,000 acres ceded in the above Report by Woburn to Charlestown, see Appendix, No. VI.

<sup>39</sup> Hence the repeated mention in Woburn Records of "Charlestown Lots"; <sup>a</sup> and notices also of lots belonging to individual citizens of Charlestown, and bearing their names; as the Dunham lot, apparently near New Bridge, or North Woburn; Frodingham's [Frothingham's] lot, near Horn Pond; Burgess's lot; Davison's lot; and Shepardson's lot, which became eventually the homestead of James Convers, jr. <sup>b</sup> In 1640-1, before the incorporation of Woburn, Messrs. George Whitehand and George Bunker, both of Charlestown, surrendered their respective lots to the disposal of the [intended] town; <sup>c</sup> and the latter gentleman, for a full and valuable consideration paid to him by Woburn, gave Dec. 10th, 1663, a deed of a lot of his, consisting of 238 acres, assigned him by Charlestown, and lying within the bounds of Woburn, for the use of the town forever. <sup>d</sup> In 1654, Mr. Robert Long of Charlestown surrendered for the town's use, a lot or meadow, situate in the centre of Woburn, North and West of Rev. Thomas Carter's, granted him by Charlestown, and still known as *Long's*

[<sup>a</sup> Records, Vol. I., p. 7, 9.] <sup>b</sup> Records Inverted, Vol. I., p. 10. <sup>c</sup> Records, Vol. I., 3, 4.

<sup>d</sup> Records, Vol. I., p. 30.

At the incorporation of Woburn, this power of granting land within its bounds fell of right to the united body of its inhabitants, who thenceforth disposed of its lands, sometimes by vote in town meeting, and sometimes by their Selectmen in their name, or by committees specially chosen for the purpose. In one or other of these ways, much of the territory of the town was speedily appropriated. In the infancy of the town for instance, there were numerous grants both of upland and meadow to individuals admitted to be inhabitants, as their own proper freehold. To some of these grants was expressly annexed a condition, that they [the grantees] should bring testimonials of their peaceable behavior; or that they should continue in town five or more years. And for all of them, the grantees were required to pay twelve pence an acre for the use of the town. A portion likewise of the common land was reserved, with a pious forethought, very creditable to the first settlers, for succeeding officers of the church. And considerable tracts in various quarters of the town were set apart to be holden and improved by certain individuals in common, as Friendly or Boggy Meadow Field in or near Wilmington, Pleasant Field towards Reading, New Bridge Field in North Woburn, Plain Field on the way from the centre to Convers's mill, Waterfield at the West End, and Hungary Plain Field and Forest Hill Field in and near Burlington. And to prevent injury and hard thoughts among the owners in the use or cultivation of these common fields, it was early ordered that the Selectmen should set off to every proprietor his proportion of fence to maintain, and mark each end of one's share of fence with the initial letters of his name. But the cultivation of

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*Meadow*; for which Woburn paid him in recompense thirty shillings.\* And soon after the incorporation of Woburn, 1642, six of the commissioners for its settlement, viz., Edward Johnson, Edward Convers, John Mousall, and Messrs. Ezekiel, Samuel and Thomas Richardson, in consideration of divers benefits received (particularly meadow, commonage and planting ground) and others expected from the town, gave up all the land therein, which had been granted them "before the placing downe this Towne, near adjoining to the said towne" for the use of the town and the church of Woburn forever.†

\* Records, Vol. I., p. 20.    † Records, Vol. I., p. 6.



fields held in common having been productive of much uneasiness and contention, they have long since been divided in severalty among their respective proprietors.

And now this town of Woburn, having its affairs put in proper train, and under the direction of suitable officers, soon began to thrive and prosper. This is inferred in part from the increase in the number of its inhabitants and of its church members, during the first ten or twelve years from its incorporation in 1642. Judging from the number of the original subscribers to the Town Orders, which was only thirty-two (and all of them did not eventually become inhabitants), the first settlers in 1642 could hardly have exceeded thirty heads of families, and the founders of the church were only seven in number. But in 1652, the inhabitants of the town had increased to sixty families, and the members of the church to seventy-four. This we learn from the celebrated history of New England, called the "Wonder-working Providence of Zion's Saviour," written, and published in London in 1654, by Capt. Edward Johnson, a principal founder and distinguished citizen of Woburn, who gives in it the following account of the town, as it was at the time he wrote, in 1662.

"There was a Town and Church erected, called Wooburn, the present year [1642]. But because all the actions of this wandering people meet with great variety of censures, the author will, in this Town and Church, set down the manner how this people have populated their Towns, and gathered their Churches, etc., etc. This Town, as all others, had its bounds fixed by the General Court, to the contents of four miles square (beginning at the end of Charlestown bounds): the grant is to seven men of good and honest report, upon condition that within two years they erect houses for habitation thereon, and soe go on to make a Town thereof, upon the Act of Court. These seven men have power to give and grant out lands unto any persons who are willing to take up their dwellings within the said precinct, and to be admitted to all common privileges of the said Town; giving them such an ample portion, both of Medow and Upland, as their present and future stock of cattel and hands were like to improve, with eye had to others that might after come to populate the said Town. This



they did without any respect of persons ; yet such as were exorbitant, and of a turbulent spirit, unfit for a civil society, they would reject ; till they come to mend their manners, such came not to enjoy any freehold. These seven men ordered and disposed of the streets of the Town, as might be best for improvement of the Land, and yet civil and religious society maintained : to which end, those that had land nearest the place for Sabbath assembly, had a lesser quantity at home ; and more farther off to improve for corn of all kinds. They refused not men for their poverty, but according to their ability were helpful to the poorest sort in building their houses, and distributed to them land accordingly ; the poorest had six or seven acres of Medow, and twenty-five of Upland, or thereabouts. Thus was this Town populated, to the number of sixty families or thereabout : and after this manner are the Towns of New England peopled. The scituation of this Town is in the highest part of the yet peopled land, neere upon the head springs of many considerable rivers, or their branches ; as the first rise of *Ipswitch* river, and the rise of the Shashin river, one of the most considerable branches of Merrimeck, as also the first rise of Mistick river and ponds. It is very full of pleasant springs, and great variety of very good water, which the Summer's heat causeth to be more cooler, and the Winter's cold maketh more warmer : their Medows are not large, but lye in divers places to particular dwellings ; the like doth their Springs. Their land is very fruitful in many places, although they have no great quantity of plain land in any one place ; yet doth their Rocks and Swamps yield very good food for cattel ; as also they have Mast and Tar for shipping, but the distance of place by land causeth them as yet to be unprofitable. They have great store of iron ore. Their meeting house stands in a small Plain where four streets meet. The people are very laborious, if not exceeding, some of them." <sup>40</sup>

" Now to declare how this people proceeded in religious matters and so consequently, all the Churches of Christ planted in New England ; when they came at once to hopes of being such a competent number of people as might be able to maintain a Minister, they then surely seated themselves, and not before ; it being as unnatural for a right N. E. [New England] man to live without an able Ministry, as for a Smith to work his iron without a fire. Therefore this people that went about placing down a Town, began the foundation

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<sup>40</sup>Wonderworking Providence, Book II., Chap. XXII., p. 175., etc.

stone with earnest seeking of the Lord's assistance by humbling of their souls before him in daies of prayer, and imploring<sup>g</sup> his aid in so weighty a work. Then they address themselves to attend counsel of the most Orthodox and ablest Christians, and more especially of such as the Lord had already placed in the Ministry, not rashly running together [to gather] themselves into a Church, before they had hopes of attaining an Officer to preach the Word, and administer the Seals unto them ; chosing [choosing] rather to continue in fellowship with some other Church for their Christian watch over them, till the Lord would be pleased to provide," etc., etc.

[Here follows the author's account of the gathering of the Church of Woburn, and of the ordination of Rev. Mr. Carter, as summarily given above. He then proceeds as follows:]

"The people having provided a dwelling-house, built at the charge of the Town in general, welcomed him unto them with joy, that the Lord was pleased to give them such a blessing, that their eyes may see their Teachers. After this there were divers added to the Church daily after this manner. The person desirous to joyn with the Church, cometh to the Pastor and makes him acquainted therewith, declaring how the Lord hath been pleased to work his conversion : who discerning hopes of the persons' faith in Christ, although weak, yet if any appear, he is propounded to the Church in general for their approbation touching his godly life and conversation ; and then by the Pastor and some brethren heard again, who make report to the Church of their charitable approving of the person. But before they come to joyn with the Church, all persons within the Towne have publike notice of it ; then publicly he declares the manner of his conversion, and how the Lord hath been pleased, by the hearing of his Word preached, and the work of his Spirit in the inward parts of his soul, to bring him out of that natural darkness, which all men are by nature in and under ; as also the measure of knowledge the Lord hath been pleased to indue him withal. And because some men cannot speak publicly to edification through bashfulness, the less is required of such ; and women speak not publicly at all ; for all that is desired is, to prevent the polluting the blessed Ordinances of Christ by such as walk scandalously, and that men and women do not eat and drink their own condemnation, in not discerning the Lord's body. After this manner, were many added to this Church of Christ ; and those 7 [seven] "that joyned in Church fellowship at first, are now encreased to 74

persons, or thereabout. . . . After this manner have the Churches of Christ [in New England] had their beginning and progress hitherto; the Lord continue and encrease them the world throughout." — *W. W. Prov., Book 11, Chap. xxii., pp. 175–181.*

It has already been observed, that the original territory of Woburn, as granted to Charlestown in 1640, was four miles square. But this grant was encumbered with another grant of five hundred acres, to be laid out within the bounds of the four miles square, to Mr. Thomas Coytmore, a noted shipmaster, and a highly respected citizen of Charlestown. But before Capt. Coytmore could derive any benefit from this grant to him by the Court, he perished in a storm at sea; and his only son, Thomas Coytmore, jr., dying afterwards in his minority, the General Court, at their session in October 1656, confirmed the grant of 500 acres in Woburn, and also other lands and goods of Capt. Coytmore, to Mr. John Coggan, the then husband of Mrs. Martha, Capt. Coytmore's relict, on condition of his paying £200 to the four daughters of Capt. William Tyng by Elizabeth, Capt. Coytmore's sister.<sup>41</sup> In 1664, Mr. Coggan having deceased, the Coytmore grant in Woburn was claimed by Mr. Joseph Rock of Boston, administrator upon the estate of John Coggan and of Martha, his wife. And now the selectmen of Woburn, considering that even without that incumbrance, Woburn was smaller in point of territory than any other incorporated town in its vicinity, petitioned the Court in 1664, that they would order Mr. Rock's claim of 500 acres in Woburn to be laid out in some other place; and also that they would grant to Woburn four thousand acres of unappropriated land, wherever it might be found in this wilderness, and so do by this town as they had done already by the neighboring towns of Billerica and Reading.<sup>42</sup> In answer to the latter part of this petition, the Court at their session in October of that year, made a grant to Woburn of two thousand acres.<sup>43</sup> But they took no notice of the request in it to order

<sup>41</sup> Colony Records, Vol. IV., Part I., pp. 272, 273, 281.

<sup>42</sup> Woburn Records, Vol. I., p. 29.

<sup>43</sup> Woburn Records, Vol. I., p. 30. Colony Records, Vol. IV., Part II., p. 138. This grant was not laid out to Woburn till upwards of fifty years afterwards; and then, (as will be noted in a future portion of this history) through mismanagement, it proved of no permanent advantage to the town, but a source of contention for a long series of years.



the Coytmore grant, claimed by Mr. Rock, to be laid out elsewhere than in Woburn. And the following year, Mr. Rock sold it for £50 to Messrs. Francis and John Wyman of Woburn, to whom it was laid out by Mr. Jona Danforth, Surveyor, under direction of General Court's Committee, in the westerly and northwesterly parts of what is now Burlington, in October 1667.<sup>44</sup>

Shortly after the above petition to the Court for additional territory was presented, the distribution of a large part of what they already held in common became a subject of intense interest for several years to the citizens of Woburn. At a general meeting, Nov. 14, 1664, it was agreed by a major vote, that there should be a distribution of plough land and swamps, and a particular division of the remote timber; and a committee of seven was chosen to carry this vote into effect, according to justice and equity.<sup>45</sup> But the measure meeting with opposition, this committee did not venture to discharge their commission without further instructions from the town. And now arose a question of importance, Who the proprietors of the town were, among whom the proposed distribution was to be made? This question was decided at a public meeting, Feb. 27, 1665-6, at which it was voted, that "the right proprietors of the common lands of the towne of Woburne" were "those which had their names expressed in the deviding the herbidg."<sup>46</sup> At the same meeting,

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<sup>44</sup> Colony Records, Vol. IV., Part II., p. 356. Middlesex Registry of Deeds, Vol. III., pp. 149, 150.

<sup>44</sup> When Woburn Precinct, now Burlington, was incorporated in 1730, this tract of land was largely dwelt upon and improved by numerous Wymans, the posterity of the above named Francis and John Wyman. But now (1867) and for several years past, there has not been a Wyman in the place to bear up his ancestor's name, and to cultivate this portion of his land.

<sup>45</sup> Woburn Records, Vol. I., p. 29.

<sup>46</sup> Woburn Records, Vol. I., pp. 31, 32. Record of meeting, 27: 12mo. 1665 [Feb. 27, 1665-6]. The decision at this meeting, of the question, Who were the right proprietors? was not improbably grounded on the following order of the General Court, May 30, 1660: "It is ordered, that hereafter no cottage or dwelling place shall be admitted to the privildg of commonage for wood, timber, and herbage, or any other the priviledges that lye in common in any towne or peculiar, but such as are already in being, or hereafter shall be erected by the consent of the towne." — *Colony Records, Vol. V., Part 1*, p. 417.

a vote was passed, "for the diuission of all the lands and timber that belong in common to the said Towne, to the Inhabytance expressed by name as priuiledged by the vote of the Towne in the diuission of herbidg," and also to three persons (viz: George Brush, John Craggen, and Increase Winn) admitted at that meeting to be inhabitants and "propriety of commonag," and to "noe other."<sup>46</sup> A committee of three likewise was chosen the same day, "to consider of a way of diuission," to be propounded to the inhabitants at a future meeting, for their approbation and concurrence. The report of this committee was submitted at a meeting of the town, Jan. 28, 1666-7, when it was voted, that the way by which the land should be divided that yet lay in common, should be "by persons and esteats, saruants left out; the head of the family at twenty pound esteat, wifes and children at five pounds esteat." And at another general meeting, March 28, 1667, it was voted by the major part present, "*that all the land that lyeth in common, both land and timber, shall bee deuided for propriete [propriety] to the wright proprietors;*" and furthermore, a committee of five was appointed at the same meeting, viz: Francis Kendall, John Wyman, Thomas Peirce, John Brooks, and Samuel Walker, sen., who were fully empowered by the town "to laye out the Common to propriety," according to the true intent and meaning of the votes of Jan. 28, 1666-7 and of March 28, 1667; and in order to this end, "to take a List of the persons and esteats of the wright proprietors." In pursuance of their appointment, this committee made out a Table exhibiting the names of all who had right in the common land of Woburn, and their respective proportions in it, according to their several persons and estates; by which Table, not only the present but all future divisions of the town's land were to be regulated. But this committee was not allowed to complete the whole business intrusted to them. Complaint being made, it seems, of some of their proceedings, the General Court chose Oct. 31, 1667, a committee of their own body, viz: Capt. Daniel Gookin, Mr. Thomas Danforth and Mr. Edward Collins, to settle the difficulties which had arisen in Woburn.<sup>47</sup>

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<sup>47</sup> Colonial Records, Vol. IV., part II, pp. 354-5.



By these gentlemen, a new committee for the town was nominated, which was empowered to divide the land to be divided, to each proprietor his just proportion, according to his interest in the common land of the town. Accordingly this new committee, consisting of Capt. Edward Johnson, John Carter, Josiah Convers, John Wright and Thomas Peirce<sup>48</sup> did on Sept. 23, 1668, divide all the timber and wood growing or lying on the hither part of the common land in Woburn into eight grand divisions called eighths, each of which was subsequently to be more particularly divided among themselves by the persons expressly named as interested in it, according to the proportion to which each person was entitled in the whole of the common land of the town, and which was annexed to each man's name respectively.<sup>49</sup> In this way, the timber and wood growing or lying on various tracts of land in different quarters of the town, minutely described in the Records,<sup>50</sup> was divided among eighty proprietors, including the widow of Mr. Thomas Graves, of Charlestown, one of the original undertakers for the building up of Woburn; and as each person's proportional part of the timber and wood was confirmed by the committee "to him, his heirs and successors forever, and all hereafter growing on the same land,"<sup>49</sup> it is presumed that the town granted the land itself in progress of time, as it was wanted for cultivation, to those who with their successors were thus made perpetual proprietors of all its future growth; and this conjecture seems to be confirmed by the frequent occurrence, for many years, of the phrase, "where the top is already their own," or some equivalent expression in subsequent grants of land to individual persons.

At the same time, and by the same committee that made distribution of the wood and timber just spoken of, division was made of two extensive cedar swamps, situated in what is now Wilmington, one called Lebanon, the other Ladder Pole Swamp. Both these swamps were first divided into eighths, as nearly equal as might be to each other in their joint contents, that is, the sum of an eighth of one swamp added to an eighth in the

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<sup>48</sup> Woburn Records, Vol. I., p. 80. <sup>49</sup> Records, Vol. I., p. 45. <sup>50</sup> Records, Vol. I., pp. 45-47.

other. Then one man, on behalf of all those who were named as interested in the same eighth with himself, drew by lot the place of his eighth; and then another man the place of his, etc. etc. After which, each eighth was to be particularly divided among themselves by those to whom it belonged, in proportion to their respective interests therein: the land, as well as cedar and timber, to belong to them and their heirs forever.<sup>51</sup>

To compensate the two committees above named, employed to effect the foregoing grand division of wood, timber and land, agreeably to vote of March 28, 1667, there was granted at a general meeting Feb. 26, 1677-8, by a major vote of the proprietors, as follows: To the Dividing Committee, Capt. Edward Johnson, Capt. John Carter, Mr. John Wright, Dea. Josiah Convers, and Sergeant Thomas Peirce, thirty acres of make meadow or swamp, "to satisfy the said committee, and those that they sett to worke, for all the truble and pains that they were at, in deviding the common lands into proprietries." To the proportioning committee, John Wyman, Francis Kendall, Sergeant Thomas Peirce, Samuel Walker and John Brooks, seven acres of make meadow or swamp, "to satisfy them for proportioning every man's right in the common lands."<sup>48</sup>

In 1673, there was another grand division of the common land of the town; viz: of timber land adjoining Billerica line and Maple Meadow in Wilmington. This land, amounting to above 500 acres, was distributed by lot among 80 proprietors, in proportion to their respective rights. For stating the lines of the great lots in which it was laid out, the town allowed the committee of four appointed for the work, twenty-four shillings, or six shillings apiece; and each proprietor was to give William Johnson, for setting off to him his proportion, and marking his lot in three places in every side line with the initials of his name, two pence an acre, in Indian corn at eight groats a bushel, or in other pay to Mr. Johnson's content: and the town was to pay one hand for carrying the chain all the time, two and sixpence a day.<sup>52</sup>

<sup>51</sup> Woburn Records, Vol. I., pp. 47-49.

<sup>52</sup> Woburn Records, Vol. I., pp. 41, 42.

Finally, in 1677, a large tract of common land, lying between Billerica line, Maple Meadow River and Reading line, and containing by estimation about four thousand acres, was the greater part of it divided proportionally between seventy-nine proprietors, besides a lot of sixty acres, reserved for a succeeding officer of the church. Provision was made that the Selectmen might from time to time lay out highways through this tract for the mutual accommodation of the proprietors, without allowance given for the land taken for this purpose; and William Johnson was employed to lay out the lots, for which each proprietor was to pay him twopence an acre in Indian corn, barley or rye, he furnishing a plot of the said land.<sup>53</sup> And after the division then made, there being still a residue of this tract undivided, it was granted Feb. 26, 1677-8, by an unanimous vote of the proprietors, to forty-four young men, who petitioned for it; and was divided among them by William Johnson for a compensation agreed upon by them.

This appears to have been the last extensive distribution of the common land in Woburn. More was yet left in various places, in comparatively small parcels, of which grants were occasionally made to different individuals. In a shattered record book still extant, commenced in 1739, and purporting to belong "to the proprietors of the common and undivided lands in Woburn and Wilmington," are recorded their proceedings at their meetings from time to time in relation to those lands; such as the appointment of committees to perambulate their lines, and to establish bounds; to lease their lands to individuals, and to receive their rents: and to prosecute at the law, such persons as trespassed upon their lands, unto final judgment.

At a meeting of the proprietors, May 17, 1739, and continued by adjournment to 1st Monday in September following, Messrs. Jacob Wright, Thomas Carter and Joseph Baldwin were chosen a committee with full power to lay out to each proprietor his just proportion of the common lands.<sup>54</sup> Accordingly with the help of Caleb Brooks, surveyor, this committee laid out a

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<sup>53</sup> Woburn Records, Vol. I., pp. 77, 78, 79.

<sup>54</sup> Proprietors' book, p. 5.

large portion of these lands as directed; and at a meeting January 4, 1741 [1741-2] they presented a report of their doings in the premises, as far as they had proceeded; which report was accepted and ordered to be recorded.<sup>55</sup> From this report as recorded, it appears that they had laid out about 141 acres, lying in Wilmington "great lot," Wood Hill, on the west side of Clear Meadow brook, and on the east and west sides of Maple Meadow River, in seventy-seven lots to as many proprietors, and one lot retained by the proprietors themselves in common, and called the proprietors' lot. To defray the expense of this survey and division of the common lands, Low's Meadow had been previously sold, by order of the proprietors.<sup>56</sup> At a Proprietors' Meeting, May 26, 1763, voted to grant a place for a burial ground, and one for a pound, if places convenient for these purposes could be found.

The last grants by the proprietors, upon record in this book, were of stable lots near the meeting-house on the common, to Rev. Josiah Sherman, Dea. Eames and others, voted June 10, 1765. At the same time it was voted to grant horse stable lots to no others but proprietors.

At a general meeting of the town, December 7, 1741, and continued by adjournment to January 4, and February 8, 1741-2, it was apparently attempted to nullify the distinction between the proprietors of the common lands in Woburn, and other inhabitants of the town, with a view to prosecute the proprietors' committee, as intruders, in making division of those lands from time to time, as the votes of the proprietors had authorized them. But the town records being examined by a committee appointed for the purpose, it was probably found, that the town had for years recognized and acted upon the distinction, which was founded upon an order of the General Court in 1660, and the attempt failed. See Town Records, vol. VII., p. 380, 381, 382. See also Mass. Records, vol. IV., part I., p. 417: Town Records, vol. I., p. 31, 32.

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<sup>55</sup> Proprietors' book, p. 9.

<sup>56</sup> Proprietors' book, pp. 7, 14, 15.



## CHAPTER II.

Civil customs — Moral and Religious habits of the First Settlers — Town officers — Town meetings — Measures to prevent pauperism — Taxes paid largely in produce of Soil; Schooling, etc., etc., etc. — Death and brief notices of the Seven Commissioners for building up Woburn.

IN the First Chapter of this History of Woburn, we have seen the foundations of the town laid, its government organized, its lands, the larger portion of them, distributed among its early proprietors, and all its affairs, civil and ecclesiastical, brought into a regular and successful train. In this chapter, it may be useful as well as interesting to advert briefly to the civil customs and institutions of the town, and to the literary, moral and religious character of its founders, and of their immediate successors for the first fifty years, before we resume the thread of its history.

At the first election of town officers in Woburn in 1644, there were chosen only Selectmen, a Constable, and three Surveyors of the highways. In the record of that transaction, no mention is made of town clerk, treasurer, assessors, and other officers, whom both law and expediency have now rendered indispensable. The reason is, with regard to the town clerk, that the law did not then expressly require that officer to be chosen annually as it does now; and the people were not disposed to drop from the office one whom they had found hitherto to be faithful. Hence Woburn, for the first forty-eight years, had but two town clerks; Capt. Edward Johnson, chosen by the commissioners for its settlement in 1640, and continued in office by the good will of the people, without re-election, till his death in 1672; and William Johnson, Esq., his son, who was chosen clerk in 1672, and served the town in that capacity, without re-election, till 1688. And as to other town officers, they came gradually into distinct notice and use, as the increase of the public busi-



ness, or the interest of the people rendered them necessary. For many years, the Selectmen were the keepers of the town's treasure, as well as the local guardians of its rights. In 1695 was the first, and till 1719 the only instance in Woburn, of the election of a town treasurer, distinctively as such; and the person chosen treasurer in 1719, and for several years afterward, was one of the Board of Selectmen.

For upwards of a century too, from the first planting of the town, the Selectmen *ex officio*, or by the uniform choice of the people, discharged the duties of Assessors and School Committee; and the constables were also collectors of taxes. In assessing Town and County Rates, however, the Selectmen used to be assisted by an officer, now unknown by name, but then annually chosen by the people, and called "Commissioner of the Rate."<sup>1</sup> Woburn had likewise in its early days three other commissioners, styled in the records, "Commissioners to end small causes." The appointment of such commissioners was sanctioned by law in all towns where there was no magistrate, and they constituted an inferior Court of Justice, having the powers of magistrates (excepting that of committing to prison); to hear and determine, according to their own best judgment, all causes in which one of the parties belonged to the town in which they presided, and in which, the debt, trespass or damage [did] not exceed forty shillings. In Woburn Records, they appear to have been elected by the people, with other town officers, but the law required them to be licensed by the County Court, or by the Board of Assistants.<sup>2</sup> They continued to be appointed in this town,

<sup>1</sup> Colony Laws, 1672, p. 23. Record of Choice of Town Officers for 1653. "Ensigne Carter, Commistionor for the Rate." Town Records, Vol. I., p. 18.

<sup>2</sup> Colony Laws, 1672, p. 20, Colony Records, Vol. II. p. 188. Extract from "Choyce of Town Officers the 25, of 12 mo. 1650." [25 Feb. 1650-1.]

"Commissionor to carry the Votes-to Cambridge, James Tompson."

"EDWARD JOHNSON,  
EDWARD CONUARS,  
JOHN MOUSALL,  
JOHN WRIGHT,  
JAMES TOMPSON,  
SAMUEL RICHISON,  
RALPH HILL," *Selectmen.*

"EDWARD JOHNSON,  
EDWARD CONUARS, [Convers.]  
JOHN MOUSALL,"  
"Deputy, EDWARD JOHNSON."  
*Commissionors to end Small Causes.*

Town Records, Vol. I., p. 16.

though not uniformly every year, till 1674; were frequently the same persons as three of the Selectmen; and were always men of great weight of character, and of principal influence in the town.

The time originally agreed upon by the inhabitants of Woburn, 1644, for the choice of town officers, was "the first third day of the weeke in the first month;" that is, the first Tuesday in March. But the very next year, 1645, the people anticipated their appointed time for this transaction. A deep snow falling the latter part of the winter, which proved a great obstruction to other business, some persons from a wish "to redeem time," prevailed to have the town officers elected February 19th, of that year. In 1647, the town voted to choose its officers on the first *Monday* of March annually, instead of the first *Tuesday*. And the next year but one, 1649, the day for this purpose was again altered, by vote of the town, to the last Tuesday in February; on which day, the people were ordered to meet every year for this business without further warning.<sup>3</sup> And this continued to be the day for the election of town officers in Woburn, till 1692, when by a law of the Province, all such elections were required to be made in March.

At the time Woburn anciently chose its town officers, it was likewise accustomed to choose deputies to the General Court. For this service, it rarely employed more than one person, but it sometimes did two. And as the law then allowed towns to elect persons who were resident anywhere within the Colony, to represent them in the Legislature, provided they were freemen, it sometimes happened, that one or both the deputies for Woburn belonged to Boston.<sup>4</sup> As a compensation for his services, the town voted, 1645, to allow their deputy sixpence per day, beside his board.<sup>5</sup> And to save expense in the latter article, they

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<sup>3</sup> Town Records, Vol. I., pp. 5, 7, 11, 14.

<sup>4</sup> Deputies from Woburn for 1670, 1671, Capt. Edward Johnson, Mr. Humphrey Davie of Boston; for 1672, 1673, Mr. Humphrey Davie, Capt. Edward Hutchinson, of Boston. The following record intimates, that deputies were sometimes chosen for only part of a year, or a single session. "Mr. Humphary Daie was chosen deputy for the whole yeare 1675." — *Town Records*, Vol. I., p. 59.

<sup>5</sup> Town Records, Vol. I., p. 7.

sometimes sent him corn, to be made into bread for his own use, if he belonged to Woburn; but if he were a citizen of Boston, or if, though an inhabitant of Woburn, he chose to provide his board in his own way, while attending the Legislature on the town's behalf, they were constrained to pay him for his services in solid coin.<sup>6</sup> But penurious as the people may seem to have been in the stated compensation of their deputy, they could at times be generous. At a General Meeting, Nov. 16, 1674, the inhabitants of Woburn resolved as follows, on behalf of one of their deputies, who had represented them that year and several years before, and who was a resident of Boston. "Voted that there shold bee tenne cord of wood gotten at the town's charge, and delivered on the wharf at boston as a gratuity for the good saruise Mr. Humphary Dauie hath dune this Towne at the generall Courte." — *Woburn Records, Vol. II., p. 18.*

The municipal regulations of the early inhabitants of the town are deserving of the notice, and, in many instances, of the imitation of their successors.

The selectmen were accustomed to meet stately on the first Monday of every month, for the transaction of public business. And lest the interests of the town should suffer at any time, through their dilatoriness or neglect to attend on such occasions, they agreed, March 11, 1674, that if any Selectman should fail to make his appearance at the place of meeting, by 9 o'clock of the morning, their appointed hour, he should pay three shillings to the use of the town, unless he were detained by some providence of God, which the majority present should account a sufficient excuse. And at their very next meeting, it is recorded, that they fined Capt. John Carter, one of their number, *sixpence*, for "being nere an hour to [too] late;" and shortly after, Francis Kendall, another member of their body, for a like omission of duty, was fined the same sum.<sup>7</sup>

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<sup>6</sup> "The town Dr. in the year 1674:" To deputy's dyet . . . £02: 05: 00.

"To Gershom Flagg for bringing down Corne for  
deputy's dyet . . . . . 00: 02: 00.

"To deputy's dyet, silver . . . . . 01: 16: 00.

*Town Records, Vol. II., pp. 22, 31.*

<sup>7</sup> *Town Records, Vol. II., p. 167, 168, inverted.*

The primitive inhabitants too, of Woburn, were zealous to secure a full and punctual attendance of its citizens at all its general meetings, and to preserve among themselves a due esteem of their civil privileges. As early as 1643, they passed an order, "That if any man shall absent himselfe from a publike meeting without a lawfull excuse, hee shall pay 18*d.* to the use of the Towne."<sup>8</sup> And in February, 1648-9, there was a vote of the town imposing a fine of two shillings, for the town's use, upon any inhabitant who should fail to appear by eight o'clock of the morning at any stated annual meeting for election, though unwarned; or who should withdraw on such an occasion, without leave of the assembly, more than a quarter of an hour before the meeting was dissolved; or who should be absent or tardy at any public meeting whatever, that had been legally warned.<sup>8</sup> And that this vote might not stand on their records a mere empty form of words, without force or effect, it was ordered by the whole town, present at their annual meeting, 1653-4, that the constable for the time being, should call over the persons warned to appear at every town meeting, and should gather up the fines of all such as are found delinquent for non-appearance, agreeably to the vote just cited, changing only the time of appearing from eight o'clock in the morning to nine.<sup>9</sup>

Nor was there less concern manifested to secure a civil, peaceable behavior at public meetings, than constancy and punctuality of attendance. The fathers of the town took care on all occasions to maintain their authority before the people, and failed not to punish any, who shewed openly before them a disposition to contemn or resist it. In 1664, for instance, they passed an order, allowing the inhabitants freely to present their grievances at any general meeting, either by word or writing, provided they did it in a becoming manner, and with the leave of the moderator; but imposing a fine of five shillings for the town's use upon any one who should presume on such occasions to speak disorderly, or go on to take up the time of the town unnecessarily.<sup>10</sup> And a few years afterward, they fined Nathanael

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<sup>8</sup> Town Records, Vol. I., pp. 5, 14.

<sup>9</sup> Town Records, Vol. I., p. 19.

<sup>10</sup> Town Records, Vol. I., p. 30.



Richardson, ten shillings for publicly charging them "with trampling him under their feet and wronging him, and for twitting them of putting themselves in place, with a stuborne, unciuill carige."<sup>11</sup>

In the infancy of the town, no one was allowed to become an inhabitant of it, or to acquire in it any freehold, right of common, or other civil privilege, without first producing evidence of his peaceable behavior, and obtaining the approbation of the Selectmen, or consent of the town by vote at some public meeting.<sup>12</sup> And to guard against the intrusion of suspicious characters, and preventing any from gaining a legal settlement here in a clandestine manner, one of the original Town Orders provided that no person should entertain any inmate, whether married or otherwise, for more than three days, without the consent of four Selectmen; and that every one offending in this particular should forfeit sixpence to the use of the town for every day that he should offend herein.

<sup>11</sup> Town Records, Vol. II., p. 18. To the above may be added another instance. 1674:1:10 mo George Polly summoned to appear before the Selectmen for harbouring Inmates contrary to Town Orders. In answering to the charge, Polly declared that "he wold entertaine them for all the townsmen; and that the woman shold not goe out of towne for any of them." Upon this, the Selectmen granted distress upon Polly's estate to the value of eight shillings. But Polly afterward coming before them, and humbling himself, and "acknowledging his false charges, and promising that he wold clere the Towne of the forsaid Inmates by the next second daye at night, then the Constable was ordered to respet his distress; but in case the said Polly did not goe on to perform his promise, then the Constable was to goe on to leuey (levy) the eaight shillings for the Towne's use." *Town Records, Vol. I., p. 57.* No trifling with such town officers as these.

<sup>12</sup> 6:11 mo: 1648, [6 Jan. 1648-9.] "William Chamberlin admitted an Inhabitant of this Towne, and permitted to by land for his conuenency in any place thereof, prouided he unsetle not any Inhabitant, and bring testimony of his peacibl behauour, which is not in the least mesur [measure] questioned." *Town Records, Vol. I., p. 13.*

At a generall meeting 27:12 mo: 1665, [27 Feb. 1665-6.] Gorge Brush, John Craggen and Increse Winne were admitted Inhabitage and propriety of comoneg" [commonage].—*Woburn Records, Vol. I., p. 31.*

At a meeting of the Selectmen 5:12 mo: 1676, [5 Feb. 1676-7.] "John Hews of Watertowne is permitted to come into Towne, and follow his trade of weauing."—*Records, Vol. II., p. 52.*

This order appears to have been rigorously enforced for a long series of years.<sup>13</sup> And though, in a few instances, it may have operated hardly, and to the public disadvantage, yet it doubtless did much towards securing that freedom from the burdens of pauperism which the town for a long time, with but little interruption, happily enjoyed. The first two instances in which the town had occasion to grant help to any of its inhabitants, occurred in the years 1665, 1673. But the persons here referred to as assisted by the town, were not, strictly speaking, paupers, but insane. They both were possessed of houses and lands in Woburn; but being, by the hand of God, bereft of their reason, and so rendered incapable of managing for themselves, the Selectmen took both of them (one of them by order of the County Court) under their care, and disposed of their property for them to their best advantage. And in this situation, they both lived long enough to exhaust all they had in their maintenance, and were buried at last at the charge of the town. The first decisive pauper case in Woburn did not occur till the town had been settled about forty years, and is that referred to in the following extract from the records; "The Selectmen agreed with John Brooks, for the keeping of Goarge Wilkinson, from this 4 of April, 1681, till next Michealmas; and in case more than ordinary sickness come, then the Towne to consider the charge."<sup>14</sup> Wilkinson had been a soldier in Philip's Indian war, in 1675-76, and there, probably, had exhausted both his

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<sup>13</sup> "The selectmen mett the 7: of the 4 mo: 1675, and called Joseph Knight, jun. to an accoumpt [account] for entertaining to [two] Inmats; and hee breaking the Towne Order, is fined three shillings, and to giue in a bond of fuetty pounds to free the Towne of all damage that may come to them by these too persons, namely, Jacob Hurd and Nathanel Wilson, his [Hurd's] apprentis." [Here follows his bond.]

— "At the same time, the Selectmen caled David Wyman, to answer for entertaining the widow Farmer as an Inmate in his hows: the said David hauing bin conuicted before the Selectmen for breach of a towne order, is sentanced to paye seuen shillings for fourteen days entertainment." — *Record*, Vol. II., p. 26.

Similar instances of enforcing this Town Order may be seen, *Record*, Vol. I., p. 74, 113, etc., etc.

<sup>14</sup> *Town Records*, Vol. III., pp. 6, 47.

strength and what property he had in the public service; and now, feeble in health, and poor in estate, he was obliged to throw himself on the care of the town. He died in 1683, and was buried at the town's expense.<sup>14</sup>

Observable, too, are the means employed by the early inhabitants of Woburn, with the sanction of the law,<sup>15</sup> to prevent or break up all those irregular and vicious habits, which usually terminate in pauperism, or lead to confirmed depravity and spiritual ruin. Among these means, was the appointment of Tithingmen, whose office it was, as the records express it, "to have the oversight of their neighbours, and see that they keepe good orders in their houses." The object of their appointment, under the Colony laws, appears to have been to advance the divine honor and the spiritual benefit of the people, by encouraging family worship and government, by checking or preventing disorderly conduct in private families and public houses; by suppressing or checking profanity, Sabbath breaking, idleness, intemperance, and sundry other immoralities. With these ends in view, all the inhabitants were distributed into companies of nine or ten adjacent families each; and then these several companies were committed to the inspection of as many overseers, called tithingmen, or tenth men, from their having a tithing or a company of ten families each to look after, inclusively of their own. These tithingmen appear, in Woburn, to have been annually chosen by the Selectmen; <sup>16</sup> were wont to be men of the

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<sup>14</sup> At a meeting of the Selectmen, 9 : 4 mo : [June 9th] 1676, "the tithing men were-chosen, who by law are to haue the oversight of their naighbours, and see that they keepe good orders in their howses : who are decon Josiah Conuars, Sargent Mathew Johnson, Ffrances Kendall, Robert Peirce, Allen Conuars, Henery Bolden, John Russell, Joseph Wright, and Joseph Richison.

<sup>17</sup> "At a meeting of the Selectmen 5. of 5 mo, [5 July] 1680, nine persons are named as Tithingmen, and the names of all the heads of the families, (82 in all) which were severally assigned to them for their inspection in their respective districts.

<sup>18</sup> "Ffebruary ye. 1st, 1691-2 ye Selectmen of Wobourne met & chose tithingmen (for said Towne) for ye year ensuing : and their names are as follows :

<sup>15</sup> Colony Records, Vol. V., pp. 133, 240, 241, 373. <sup>16</sup> Town Records, Vol. II., p. 37.  
<sup>17</sup> Town Records, Vol. II., pp. 153, 154. <sup>18</sup> Town Records, Vol. III., p. 31.

first respectability in the town; were required by law to make complaint of what they saw amiss in any under their inspection, to the nearest magistrate, to be dealt with and punished by him, or by the County Court; and being sworn to the faithful discharge of their office, they were often doubtless very serviceable for checking the profanation of God's name, day and house, and for the promotion of peaceableness, sobriety and religion in the families commended to their care and watch.

In the early days of Woburn, taxes were not paid wholly in money or labor, as now. Silver was then scarce; and paper currency had not as yet been introduced. Hence the first inhabitants were accustomed to pay only a certain part of their taxes of every description, in money; and the rest in cattle, in corn, or other fruits of the soil, or in articles of home manufacture.<sup>19</sup> For instance, only a fourth part of the annual salary of their first, and of their second minister, was satisfied with coin; the remainder being made up in grain, or other articles of family consumption, which were called "country pay." And country pay was made great use of, too, in discharging their Town and Colony taxes, which occasioned no small inconvenience to the Constables,

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"For ye West End of sd Towne,	THOMAS KENDALL & BENJAM. SIMONS.
For ye South End,	EDWD CONVERS.
For ye East End,	SAMUELL RICHARDSON.
For ye Towne, [centre of]	JOHN MOUSALL, JOHN BERBEEN, and JOSEPH WINN.
For New Bridge End,	Lt. JOSEPH PEIRCE.
For Boggy Meadow End,	JOHN WRIGHT, Senr.
For Totman's End,	JOSEPH RICHARDSON.
For Shawshenn End,	EDWARD JOHNSON."

"These eleven persons are chosen to inspect these famalyes near adjacent to each of ye [their] dwellings, according to the law intituled Tithingmen."<sup>19</sup> N. B. May 2d, 1692. The Selectmen chose Jona. Tompson for New Bridge, and Daniel Baldwin and John Brooks for the Centre, in the room of Joseph Peirce, Joseph Winn and John Burbeen, Senr., chosen Selectmen Feb. 23, and unwilling on that account to serve as tithingmen.<sup>19</sup>

<sup>19</sup> "Received of Jacob Wyman, Constable of Woobourne, the summe of £3: 6s. in Shoos: and £5: 4s. in and as money, in all is eight pound ten shillings. in or as money, being in full for their Town's County Rate made January 20th, 1692-3. I say Rec<sup>d</sup> by me.

Samll. Andrew, County Treasurer." — *Records, Vol. III., p. 52.*



especially when the articles of country pay were so bulky as to put them to extraordinary expense in conveying them to Boston, or proved, when there, of an unmerchantable quality,—cases in which the Colony Treasurer was not apt to make them any allowance, and the Town (it may be presumed) if it did it, would do it with reluctance. Of the troubles, in which, from this cause, the Constables were liable to be not unfrequently involved, the annexed Treasurer's certificate, and Constable's charge, copied from the records, may serve as illustrations.

“Boston, October 21, 1679. Received of John Ted, (Tidd) and John Barbene, (Burbean,) Constables of Woburne, the whole of the six Rates of June 1677, and of the three Rates of November 1677; save only they detain in their hands eight pound for transportation; which I cannot allow of, not having allowed it to other townes; and therefore it must be assigned by some superior authority. Otherwise, I say, received and allowed sd. rates. John Hull, Treasurer.”<sup>20</sup>

“The Town Dr. 1673. To James Fowle, (Constable in 1672.)

“For loss of Corne, and more than ordinary trouple, £01 : 00 : 00.”<sup>21</sup>

Concerning schools, and the attention bestowed on the education of the young, in the early history of Woburn, I find nothing on record prior to 1673. From this circumstance, however, it cannot be certainly inferred that no school had been sustained in this town during the thirty years which had then elapsed from its settlement. For very possibly the records are deficient on this head. The law too of that day, while it strictly required that a school for teaching to read and write should be kept in every town containing fifty householders, still allowed the means of its support to be drawn either from the parents and guardians of the children who attended it, or from the town at large.<sup>15</sup> Hence it is very possible that a school answering to the description of the law, may have been kept for years previous to the above-mentioned date; and yet, the compensation of its instructor coming directly from the parents or guardians of its pupils, and not from the town, there was no necessity of recording it in the Town Book.

In a town account for 1673, the town is made “Dr. to Allen

<sup>20</sup> Records, Vol. II., p. 143.

<sup>21</sup> Records, Vol. II., p. 4.

<sup>15</sup> Mass. Colony Records, Vol. II., p. 203.

Conuars' wife and Joseph Wright's wife for schooling, £00. 10s. 00d." <sup>16</sup> From this charge, compared with others presently to be quoted, these dames appear to have taught the same school, each of them half of the time stipulated, in 1673, and to have received from the town ten shillings for their year's work, to be divided equally between them. At a meeting of the Selectmen, Oct. 5, 1674, "they agreed with Jonathan Tomson to tech bigger children, and Allen Conuars' wife to tech lesser children."<sup>17</sup> And agreeably to this arrangement, goodman Thompson and goodwife Convers took charge, in 1675, of the children respectively assigned them, and were allowed by the Town £1.00. 00 between them for "teching to reade," as the Records express it.<sup>18</sup> In 1676, the Town stands indebted on the town accounts to Allen Convers £1.00 "for too [two] years scoollinge"; without specifying the years he taught.<sup>19</sup> March 1, 1678, the Town is made debtor, by account, to Allen Convers' wife for schooling, [probably in 1677] £00. 10. 00.; and in 1679, to John Houlton, Sen., "for his wife's schooling, and worke [done by him?] on the 'Meeting hows,' £00. 14. 06."<sup>20</sup> At a meeting of the Selectmen, March 1, 1679-80, the widow Convers was appointed to teach school for that year;<sup>21</sup> and for this service, she was allowed ten shillings in a subsequent town account.<sup>22</sup>

In 1685, the town having increased indisputably to the number of one hundred families, or householders, and so being obliged by law to set up a grammar school, the instructor whereof should be able "to instruct youth so as to fit them for the college," the Selectmen appointed Mr. Samuel Carter, probably a son of Rev. Thomas Carter, their pastor, a graduate of Harvard College in 1660, and then resident in Woburn, to keep a grammar school that year, with a salary of £5. 00 per annum.<sup>23</sup> But, though Mr. Carter was doubtless competent to teach such a school, there were *no scholars to attend it*. The following Spring, the Selectmen appointed the widow Walker

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<sup>16</sup> Town Records, Vol. II., p. 4. <sup>17</sup> Town Records, Vol. II., p. 166, inverted. <sup>18</sup> Town Records, Vol. II., p. 34. <sup>19</sup> Town Records, Vol. II., 56. <sup>20</sup> Town Records, Vol. I., p. 83, 96. <sup>21</sup> Town Records, Vol. II., p. 152. <sup>22</sup> Town Records, Vol. II., p. 107. <sup>23</sup> Town Records, Vol. I., p. 129.

"to be a school dame for the yeare 1686, and to haue tenn shillings for her labor, as the other [mistresses before her] had."<sup>24</sup> Likewise, at the same meeting, the Selectmen, feeling unwilling to expose the town to the penalty of ten pounds, prescribed by law for neglect to keep a grammar school by towns of one hundred families each, and yet reluctant to obligate themselves to pay a master five pounds the second time for doing nothing, (as they seem to have been apprehensive they should have to, if they positively engaged to give that sum) again employed Mr. Carter to keep such a school in Woburn, in 1686, but promised, *absolutely*, to give him only thirty shillings in pay for that year; but that if he should have any scholars, they would give him five pounds, as they had stipulated to give him the year before.<sup>23</sup> Doubtless Mr. Carter, in consenting to these terms, cherished a confident hope, that there were a few boys, at least, in the town who would discover ambition enough to sit that year under the instructions of a grammar school master, and so his full pay might be secured. But, alas, the apprehensions on this score which the Selectmen seem to have conceived, in making their engagement with him, were but too fully realized. No scholars attended grammar school in Woburn in 1686, as none had attended in 1685. And in a town account for 1685 and 1686, Mr. Carter stands credited £6. 10s. for schooling in Woburn during those two years, when he had no scholars to teach, and all the room and time to himself.<sup>25</sup>

In view of the foregoing statements, some perhaps may be ready to conclude, that the inhabitants of Woburn at that day were a boorish race, who had no value for good learning themselves, and grudged the least expense for procuring its benefits for their children. But this, without much qualification, would be a rash and most unjust inference. For in the very infancy of the town, when they do not certainly appear to have had any school for their own children, they contributed £5. 13s. 7½d. [sterling?] for the benefit of the scholars at the College in Cambridge,—a larger sum than was given at that time for this end by any town

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<sup>24</sup> Town Records, Vol. III., p. 98.

<sup>25</sup> Town Records, Vol. III., p. 102.

in this County but two, not excepting even Cambridge itself, and larger than by any town in the Colony but five.<sup>26</sup> And in 1669, a little before the time when they commenced paying, as a town, the paltry sum of ten shillings per annum for the support of common schools among themselves, they contributed £ 27. 2s. 0d. for the erection of a new College in Cambridge<sup>26</sup>,—a contribution in which they were not exceeded by any town in Middlesex County, excepting Cambridge, Charlestown, Watertown, Concord and Reading. There can be no question then, that the primitive inhabitants of Woburn were favorable to the cause of education at the college, and disposed to patronize it according to their power. And they were so probably from various motives; and more especially, because, in common with the generality of the first settlers of New England, they regarded a liberal education as a necessary prerequisite to a learned ministry; as an indispensable means of training up a competent number of young men for becoming thoroughly qualified to dispense the word of life to the people, when the accomplished ministers who had accompanied them from England should sleep in the dust. But at the same time, there were but few in the town, who duly appreciated the value of learning to any beside *professional* men.

Through the influence of prejudices imbibed and habits formed on the other side of the Atlantic, the great majority could not perceive the utility of general knowledge, beyond an ability to read and write, to those who were destined all their days to follow the plough, or to work in their shops. And hence they were slow to establish institutions among themselves designed to promote this end, and sparing of their hard-earned money to encourage them. They all unquestionably approved of grammar schools in general, because they would not see the learning taught therein "buried in the graves of (their) forefathers in church and commonwealth;" and particularly because they regarded these institutions as helpful to the advancement of the leading object for which the college was founded. Of common

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<sup>26</sup> Quincy's History of Harvard University, Vol. I. p. 456, 509.



schools, likewise, they generally approved, as very necessary aids in families in which the parents could not read themselves, for teaching the children to read the Bible, and to repeat the Catechism,—exercises accounted at that time as alike indispensable to the youth of all classes and occupations in society. But then at that day, few or none of the young men of Woburn seem to have manifested a predilection for a professional life; in which alone, it was generally supposed there, that classical literature could be useful. And there were not then many families in the place, especially in the outskirts of the town, but could more conveniently teach their children to read at home, or in small private schools kept in their immediate vicinity, and maintained by themselves, than they could send them to a common school at a distance from their thinly-scattered dwellings, and over their rough and widely separated roads. Hence, when agreeably to law, they founded both a common and a grammar school in or near the centre of their settlement, for such children as might be sent to them, none went at first to the grammar school, and but few seemingly attended the common school. As the labor of teaching these few was comparatively but light, so the compensation allowed for it was but small; and as it was performed, such as it was, quite as ably by women as by men, so the Selectmen made no distinction in the wages of either, but paid instructors of each sex alike.

With regard to the moral and religious character of the early inhabitants of Woburn, the principal source of information at the present day is the Town Records; and these exhibit many traces of that high standard of virtue and piety, drawn from the Word of God, which the Puritan settlers of New England had generally adopted, and of the strenuous measures which they took to secure a prevailing conformity to it. They disclose many facts, which go to show the predominance of a correct moral sense in the primitive settlers of this place, and which indicate an earnest desire on their part, and especially on the part of the civil fathers of the town, for the suppression of vice and irreligion, and for the promotion of good morals and strict piety among themselves and their children after them.

Nor does it detract materially from the weight of their evidence on this head, that these facts do in many instances relate to measures of the Selectmen, taken in compliance with the then existing laws of the country. In arbitrary governments, external obedience to laws even of a good moral tendency, originating as they do solely in the will, and enforced by the coercive arm of the sovereign, is no certain sign of virtue in the people. But in such a government as ours has been from the beginning, where the laws have always proceeded from the will, and been executed with the consent of a majority of the people, ready and prevalent obedience to such laws is a strong token at least of general soundness of morals. Under such a government, the passing of good laws for the prevention and punishment of vice and crime, and for the encouragement of virtuous manners and habits, and the impartial, undisturbed, execution of them, both combined, constitute a powerful argument of the prevalence of correct moral sentiment in any community; for without such a sentiment, they would hardly have been *enacted*, much less would they have been *enforced*, without opposition. And, therefore, whenever in a free community; we see such laws for the promotion of virtue and piety made, and not suffered to remain a dead letter on the Statute Book, but promptly, quietly and without resistance carried into effect, there, we may reasonably presume, that sound morals and real religion do generally predominate. And much evidence of this description have we, beside some other, that your early ancestors were generally exemplary in their moral and religious character and habits.

1. The first settlers of Woburn, and their immediate descendants were a very industrious, as well as a hardy, courageous race of men. According to the testimony of Capt. Edward Johnson, who was one of them, and a principal sharer in all their toils and hardships, they were "very laborious, if not exceeding, some of them."<sup>27</sup> They were frugal of their time, diligent in their respective occupations and callings, and gave no countenance to idleness or dissipation. And, accordingly, we

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<sup>27</sup> Wonderworking Providence, Book II., Chap. XXII.

find the Selectmen of those times exercising their authority, in one instance at least, in passing censure upon an individual of highly respectable connections, who was indolent and improvident in his habits. At a meeting of the Selectmen, Jan. 13, 1698-9, "John Carter, Jun., was sent for, and animadverted [upon] for mispending his time, and admonished to improve it better for the futer, or else he might expect some other cource would be taken."<sup>28</sup> Economy of time was indeed in that day a virtue, to which dire necessity compelled, as well as correct principle inclined them. And as proofs as well as fruits of their prevailing, virtuous industry, great changes were wrought in their condition for the better, during the first fifty years from the settlement of the town. On coming hither to take up their abode, they found no convenient houses to shelter them, or fields prepared for culture. All around them was a dense forest, or a dreary waste, infested with wolves,<sup>29</sup> and traversed as yet by no human beings, except savage Indians, the report or experience of whose occasional cruelties could not but keep

<sup>28</sup> Town Records, Vol. IV., p. 125.

<sup>29</sup> The following passages, from the Records, indicate that wolves originally were numerous and destructive in Woburn:—

"Izack Brooks, haueing ingaiged to set traps from time to time in a spring betweene Wood hill and Maple 'medow Playne to *catch Wolues*, hee haueing bin at Charge to allure [allure] the wolues thether; all other persons are prohibited to set any traps at the same place, soe long as Izack Brooks liueth, and shall goe on to improue it for the same end or use." — *Records, Vol. I., p. 52, Genl Meeting 24 : 12 mo : 1673. [24 Feb., 1673-4.]*

The town is Cr., 1676, by cash paid

"To Francis Kendall for a wolfe	00 : 10 : 00.
"To widow Nutting for a wolfe	00 : 10 : 00.
"To Izack Brooks for a wolfe	00 : 10 : 00."

(*Records, Vol. II., p. 56.*)

1677. "To Izack Brooks, wolues, by County's order 03 : 00 : 00.

(*Records, Vol. II., p. 65.*)

17 : 7mo. 1677. "To Izack Brooks, for a wolfe 00 : 10 : 00."

(*Records, Vol. II., p. 74.*)

In 1677. "To Izack Brooks, for two wolues [two wolves] 01 : 00 : 00."

(*Records, Vol. II., p. 84.*)

Among other noted places in Woburn, in former days, was "the Ould Wolfe penne." — *Records, Vol. I., p. 88.*

them in a state of constant anxiety, fear or alarm. Their first dwellings were but mean buildings; and their provision of food for some years, it is likely, was quite as plain, precarious and scanty, as that of the Indians to whom they had succeeded. But in the course of fifty years, the Indians had been beaten and effectually checked in Philip's war, in the dangers and hardships of which, the inhabitants of Woburn (as I may have occasion to show hereafter) bore their part. The ferocious wolves they had driven back in good measure from their borders to remote forests, and kept them at bay there. Their patient, persevering labor had gradually subdued their rough, uncultivated soil. And the close of half a century from the foundation of the town found them, generally speaking, in possession of thriving farms and orchards, of houses far more commodious than the first, and furnished with many of the comforts and delights of life.

2. The records furnish pleasing evidence, that the primitive inhabitants of the town were generally speaking, a just people; lovers of equity and fairness of dealing. We there find the Selectmen repeatedly interposing (as the laws empowered them to do) to punish oppression. And the specimens there exhibited of the bargains and covenants made by the Selectmen themselves with individuals in the town's employ, or to whom they leased its common lands, while they discover great shrewdness and foresight to save the town from harm, do also manifest a commendable disposition to deal honorably and equitably with those with whom they had to do. Take the following, as instances of their dislike of hard dealing.

"The Selectmen mett the 1: 11 mo: 1676: and summonsed Hopestill Foster for inordinate wages, and [ he ] is refer'd to hering the next Towne meeting."

"The Selectmen meet the 5: of 12 mo: 1676: and fined Hopestill Foster, for opresion [ oppression ] in a case depending betweene Josiah Conuars and himselfe about making brads; two shillings, eight pence of it to the said Joſiah Conuars."

"Also in a case depending betweene Mathew Johnson and the said Foster, for opresion in making streak nayls and putting



in riuits [rivets] in cart boxes, eleven shillings; six of it to the complainer." — *Records, Vol. II., p. 58.*

3. Similar tokens do the Records set before us of the mercifulness and compassion of the people of Woburn at that day, towards those who were suffering adversity. In various instances, they present the people, or their agents, the Selectmen, remitting taxes to the aged and unfortunate, commiserating the poor and destitute, and restoring lands to *children*, which, through the hand of God upon their parents, had fallen into the possession of the town. Of this amiable trait in their character, the following instances, among a number that might be produced, may serve both as illustrations and as proofs. At a general meeting, March 1, 1696–7, voted that "considering that Benj<sup>n</sup> Wilson, having mett with considerable losses, and is very poore, altho' he be found very diligent in his place, he shall goe rate free for this yeare, to all rates and taxes whatsoever." <sup>30</sup>

Sept. 9, 1700. "The Selectmen being informed that the widow Hensher [Henshaw] was in want, they ordered the Constable Holding to pay her five shillings for a present supplye, out of the Town Rate comitted to him to collect."<sup>31</sup>

"October the 27th. there was a contribution made for the widow Hensher: there was then gathered 3<sup>lb</sup>: 15: 3: and the Selectmen provided a cow for her supplye with milk, and the cow cost 59 shillings, and the cow remains the town's, only the said widow hath the use of the cow free; and the Selectmen layd out 7<sup>s</sup>: 6<sup>d</sup>. for cloth to make her dumb child a coat, and 3<sup>s</sup>: 6<sup>d</sup>. for a pair of shoos; and the remainder of the said contribution, being 6<sup>s</sup>: 3<sup>d</sup>, it was deliuered to the said widow by the Selectmen."<sup>31</sup>

4. Of the character of the people in general for *sobriety*, we may form some judgment in their favor from the exertions then made and sustained, without complaint or opposition, against the contrary vice. The records furnish repeated testimonials to the zeal and faithfulness of the early civil fathers of the town to carry the laws against intemperance, and practices which lead to

<sup>30</sup> Town Records, Vol. IV., p. 87.

<sup>31</sup> Town Records, Vol. IV., p. 166.

it into execution. They present them again and again, as summoning before them persons charged with intoxication, and sentencing them, upon conviction, to pay a fine, or to sit in the stocks. The following are instances upon record of their proceedings on this head. "The Selectmen meet the 17. of 7 mo. 1677: William Deane was sumoned for excess in drinke, and [they] ordered him to pay for his ecess three shillings and fourpence."<sup>32</sup> "The Selectmen mette the 1: of 2 mo. 1678, and by warrant sent for William Deane, who was proved to be in drink the third time; .[and] is sentanced to paye ten shillings uppon the Constable's demand."<sup>33</sup> At a meeting of the Selectmen 3: 8 mo. 1682, William Deane was fined the thurd time for being druncke, tenne shillings, or to sitt in the stocks."<sup>34</sup> Jan. 22, 1679, Andrew Pittamy, Indian, and his squaw, and another squaw, being taken drunck, were all brought before the Selectmen of Woburne, and the case heard and proued, were sentenced to paye tenne shillings apeece, or to be whipt tenne lashes, and to defray the charge of Constable and witnesses."<sup>35</sup> "John Johnson, jun. being taken in drinck, was sentenced to paye tenne groats."<sup>35</sup>

Such was the rigor with which the laws were anciently enforced in this town against persons chargeable with intemperance. Nor did the civil authorities frown upon the hard drinker only, but also, in some cases at least, upon those, who were accessory to his bad practices. The first person apparently, that was approved by the Selectmen to keep tavern in Woburn, and recommended for a license to sell spiritous liquors, was Mr. Samuel Walker, Senr., in 1675.<sup>36</sup> Mr. Walker was a highly respectable citizen, and one who was, generally speaking, of an irreproachable character. Nevertheless, for once abusing his license, by allowing a certain noted tippler to come to his house, and there to indulge his vicious appetite after warning, he incurred the censure of the civil fathers of the town alike with the tippler himself. The Selectmen, showing no respect of persons, imposed upon the latter offender a fine of

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<sup>32</sup> Town Records, Vol. II., p. 74. <sup>33</sup> Town Records, Vol. I., p. 89. <sup>34</sup> Town Records, Vol. I., p. 120. <sup>35</sup> Town Records, Vol. II., p. 147. <sup>36</sup> Town Records, Vol. II., p. 27.

five shillings for going to the tavern, and another fine of five shillings more for tippling there after warning; and a fine of twenty shillings upon Mr. Walker for finding him room and drink to tipple with.<sup>37</sup>

But while the fathers of the town were thus laudably exerting themselves for the prevention and suppression of intemperance and its kindred vices, they were unconsciously giving countenance to one practice which had a tendency to promote it: that of giving drink at funerals. This seems at that day to have been the universal custom, especially in this place. Whoever died here, intoxicating liquor must be distributed among all who attended his burial. They buried their paupers with rum, and they buried their wealthy men and ministers with wine. One of the charges allowed by the Selectmen in 1683, at the death of George Wilkinson, the pauper already referred to, was one for three quarts of rum, to be drank at his funeral.<sup>38</sup> And in an account of the funeral expenses assumed by the town at the death of their beloved pastor, Rev. Mr. Carter, in 1684, there is a charge of £2. 9s. 0d. for fourteen gallons of wine.<sup>39</sup> This practice originated doubtless in a commendable desire to show

<sup>37</sup> Town Records, Vol. II., p. 58.

<sup>38</sup> Town Records, Vol. III., pp. 47, 58.

<sup>39</sup> "Charges on Mr Thomas Carter's funarall in 1684.

"By fourteene gallons of wine, at 3s. 6d. per gallon	02:09:00.
"For tarr, two shillings	00:02:00.
"For gloues	01:16:00.
"For his Coffin, muny	00:06:00.
"For his graue, in pay	00:05:00.
"For manchester, 6 yards: and Jarr for tarr	00:01:06.
	<u>04:19:06."</u>

Nor did the custom cease with the 17th century, as appears by the following bill, still extant. — *Town Records, Vol. III., p. 68.*

"Charlestown Anno 1726.

"Mr Jacob Fowl & Mr Thos Reed; Bot of Seth Sweetser

"Sept. 22. To 7 gallons Sweet wine, at 6:6d	-	-	-	-	£2:5:6
"To 7½ Fyal at 5s	-	-	-	-	1:17:6
					<u>£4:3:0</u>

"For y<sup>e</sup> funeral of Mr Symons Deceas<sup>d</sup>:" [Mr. Benjamin Simonds, of Woburn, who died 21 Sept., 1726. — *Woburn Records of Deaths.*]

hospitality to those, who manifested their respect for a person deceased, and their sympathy with his surviving friends, by attending his funeral; and especially, when they came for this end from a distance over their rough roads, or in an inclement season of the year. But such an expression of hospitality on funeral occasions is now justly regarded as injurious in its tendency, as well as often burdensome by its expensiveness; and has been wisely suffered to fall into general disuse.

Finally, piety was a distinguishing trait in the character of the early inhabitants of Woburn, as it was generally in that of all the first planters of New England and their immediate successors. The town was settled principally by emigrants from Charlestown; and there is reason to believe that its founders, and a large proportion of its primitive population were associates in travel and suffering with those who accompanied Winthrop and Dudley, Wilson and Phillips, in their perilous voyage across the Atlantic, from a land of privilege and plenty, to this, then, American wilderness, for conscience' sake toward God. And their whole conduct, so far as any particulars of it have been transmitted to us, proves them worthy of being reckoned with that illustrious company of Puritans. Nor did their immediate descendants come far behind them, in respect to their religious character. In many of these, indeed, love had begun to wax cold; and there gradually came on a decay of vital religion, both here and throughout the land, which was observed and lamented by such as had seen New England in her first glory. Still, in a goodly proportion of the inhabitants of Woburn, of the second generation, there yet abode a like spirit of piety and devotion which had been the chief ornament of their fathers. And this excellent spirit was continually manifesting a powerful influence in the civil customs and measures, in the domestic arrangements, and in the general character and manners of the early inhabitants of this town. And the same spirit, I may safely add, had a larger share in moulding the ancient distinctive character of the people of New England, and in originating all those privileges and institutions, which are now their boast, than any other cause or influence whatever, merely secular, that can be assigned.



1. Particularly, this spirit manifested itself in Woburn, in zeal for the public worship of God. A leading object of the primitive settlers in leaving Charlestown to establish themselves in this place was to erect here a church, for the diffusion of the light of God's Word, and for upholding in it the ordinances of his gospel. Hence, notwithstanding a long train of difficulties and discouragements, which they had to encounter successively in their way to this object, they here quickly gathered a church, and procured and settled a minister over it, to lead in the services of the sanctuary. Here too, they had scarcely provided a shelter for themselves and families, before they built a house for the honor of God's name, and the conducting of his public worship. And as soon as this house had fallen into decay, or had become too strait for them, their sons built a second, larger and more convenient than the first. And ere this second house had been erected ten years, they took occasion repeatedly to enlarge it, for the better accommodation of the multitude which thronged it from Sabbath to Sabbath. Nor was it on the Sabbath day only, that they showed their zeal and diligence to assemble together in the Sanctuary to serve the Lord. During the ministry of the first two pastors of the church, there was a stated public lecture in Woburn for prayer and exposition of the Scriptures, similar to those then held in most of the early settled towns in Massachusetts.<sup>40</sup> How often it occurred, is not certain; but it appears, from the records, to have been held on Wednesday,<sup>41</sup> and to have been well sustained upwards of sixty years: and though in the ministry of the second Mr. Fox, there are signs of its falling into disuse, in consequence, probably, of his frequent ill health, and perhaps, too, of a growing indifference on the part

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<sup>40</sup> In the record of general meeting, 27: 12 mo: [27 Feb.] 1665-6 reference is made to measures to be propounded to the inhabitants at a meeting, 28: 1 mo: 1666 next "after Lecture." — *Town Records, Vol. I., p. 32.*

<sup>41</sup> Under Record of Selectmen's meeting, [Monday] 7: 5 mo: [7 July,] 1679, mention is made of the next Lecture day on 16: 5 mo: 79. [Wednesday.] At a meeting of the Selectmen, Nov. 23, 1702, they appointed Wednesday ye 30th of December following after Lecture, to be a general meeting, etc. — *Town Records, Vol. IV., p. 214.*

of some of the people, yet even then, attempts were repeatedly made, by a majority of the town, to revive and encourage it, and so to continue it to posterity.<sup>42</sup>

2. Nor was the religious spirit of the early inhabitants of Woburn less conspicuous in their exertions to maintain solemnity and decorum in public worship, than it was in those which they used to establish and continue it among them. Generally speaking, they were, universally, men who revered the Sanctuary of the Lord, set an excellent example of becoming seriousness in all its sacred exercises themselves, and could not endure to have them interrupted by anything like trifling or levity in others. Hence, when above thirty years after the settlement of the town, a portion of its youth began to behave themselves disorderly in public worship, the people generally were much aggrieved, and the fathers of the town immediately set themselves to devise a remedy. To put an end to the evil complained of, they passed successively a number of orders and regulations, the motives of all which cannot be too highly appreciated, though at the recital of some of them we can hardly refrain from smiling at their minuteness, and seeming singularity at the present day. At a meeting of theirs, Sept. 7, 1674, they resolved as follows on this subject: "Considering how greatly God is dishonoured by severall youths playing at meetting, and the trust that is by the athourty of this Commonwealth committed to the Selectmen; they doe therefore order that from this time forward, all youths or male persons that shall playe or carry it unciually on the Saboth day, or in time of Exercise, they shall bee injoynd to sit in the last sete of the Rainge of mens seats, and all other persons whatsoeuer are prohibited sitting in that seat upon the penalty of halfe a Crowne, they doing it presumptuously."<sup>43</sup> But this injunction not being generally obeyed, or the appeal implied in it, to the shame of these young offenders, not proving so effectual as might have been anticipated, the Selectmen two years after-

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<sup>42</sup> At a general meeting, March 4, 1716-17. It was voted to add £20 to Rev. Mr. Fox's salary of £80 for that year, provided that he keep a "Lecture once in six weeks, if he be able." — *Town Records*, Vol. V., p. 357.

<sup>43</sup> *Town Records*, Vol. II., p. 18.

ward had recourse to another expedient. They first set apart two seats in the meeting-house, particularly described in the records, for all those boys who should be expressly directed to sit in them, and whose names were to be fixed on them in writing, and forbade all other persons over sixteen years old, not expressly allowed, to sit in them, upon a penalty of 2s. 6d. each time.<sup>44</sup> And then to secure success to this measure, and perhaps likewise to afford some relief to the constables, under whose sole care the boys had hitherto been, in time of public worship, they appointed twenty-six men of respectable character to overlook those boys in the meeting-house, two days each in succession, under penalty of five shillings per day upon each of them who should refuse to serve. The business of this numerous committee, as stated in the records, was, to oversee the boys in the meeting-house, "to haue power to rape [rap] them with a stick," who did not "behave themselves as they ought"; and in case they persisted in their unseemly behavior, to complain of them to the Selectmen.<sup>45</sup> But strict as this measure may seem to have been, it did not at once eradicate the evil. For at a subsequent meeting of the Selectmen, March 1679-80, after making a new assignment of seats for the boys in the meeting-house, they committed them again to the oversight of the men "appointed as formerly," and of the constables<sup>46</sup> with their black staves.<sup>47</sup>

3. Again, the religious disposition of the early ancestors of this people was still further displayed in their equitable and generous treatment of their ministers of religion. For the first pastor of this church, Rev. Thomas Carter, the town built a dwelling-house at their own cost, and presented it to him at his settlement, as a gift. They also made him considerable grants of land soon after his settlement, and in all subsequent general distributions of the public lands, they allowed him his full proportion with the other inhabitants who were proprietors. The salary they originally agreed to give him, viz: £80, was a very liberal one for that day; and in his old age they enlarged it by

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<sup>44</sup> Town Records, Vol. II., p. 36. <sup>45</sup> Town Records, Vol. II., p. 41. <sup>46</sup> Town Records, Vol. II., p. 152. <sup>47</sup> Town Records, Vol. II., p. 23. See also Vol. III., p. 119, 121.



an annual donation of twenty cords of wood.<sup>48</sup> And when at length his increased infirmities made the aid of a colleague necessary, they did not turn him adrift upon the world, as some towns have done by their ministers, worn out in their service, in modern times, neither did they put him off with a meagre, insufficient compensation, as has been the practice in many instances since, but they adjusted with him the question of his salary for the time to come, entirely to his own satisfaction; and when he deceased, they discovered their affectionate regard for the dead by their continued kindness to the living, his surviving widow. For Rev. Jabez Fox also, their second minister, the town of their own accord offered to erect a dwelling-house at their own expense, and present it to him as a gift. At his request, they enlarged it in building beyond the dimensions they had proposed, for an allowance he engaged to make them in money towards the cost. They granted him freely, as his own property, a portion of those lots of land, which they had reserved from time to time in disposing of their public lands, for a succeeding officer of the church; and the use of the residue, till they should need it for a successor. And when he died, they did not withdraw their kindness from his widow, but granted her a sum equal in amount to her husband's salary for half a year. These several testimonials of good-will to their ministers, and concern for their temporal comfort and well-being, speak loudly in favor of the religious character of the ancient inhabitants of Woburn. The people showed herein not only an effectual regard for their worthy pastors themselves, but likewise a becoming esteem for their work; love for that holy cause in defence of which they were set, and for the advancement of which among them they labored. Whereas, a mean, hard or unjust treatment of worthy ministers of religion on the part of the people whom they serve is generally speaking, a decisive indication of indifference or hostility toward religion itself.

4. Finally, the pious spirit of the ancient inhabitants of Woburn displayed itself in their care for the religious education of their children and youth. By a law of this colony,

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<sup>48</sup> Town Records, Vol. I., pp. 64, 98, 101, 102.



passed in 1642, the same year with that in which Woburn was incorporated, the Selectmen of every town were required to see "that all masters of families do once a week (at the least) catechise their children and servants in the grounds and principles of religion; and if any be unable to do so much, that then at the least, they procure such children and apprentices to learn some short orthodox catechism without book, that they may be able to answer unto the questions that shall be propounded to them out of such catechism by their parents or masters, or any of the Selectmen, when they shall call them to a trial of what they have learned in that kind."<sup>49</sup> And although the Court had occasion, about thirty years after, viz, 1671, to complain of the neglect of this and other legal provisions on behalf of children and youth, which had resulted, they say, in the increase of sin and profaneness, and proceeded to enjoin upon the Selectmen anew, throughout this jurisdiction, to attend to their duty in this respect, yet there seems to be no ground for supposing that the neglect of catechising was then extensively prevalent. On the contrary, there is abundant reason to believe that, by the great body of the people, it was practised, even then, with exemplary strictness throughout the Colony; especially have we ground for this conclusion in regard to the inhabitants of this town. The transmission of this pious and laudable custom in the great majority of families in this place, till within a very recent period, affords, of itself, satisfactory proof of the high esteem and general observance of it by the early inhabitants of Woburn. Regarding religion themselves as "the principal thing," they were earnestly solicitous to inculcate the same great truth on the minds and hearts of their offspring. From a principle of piety, as well as from an obedient regard to the law of the land, they were careful to bring them up in the nurture and admonition of the Lord. They did not abound in books; but whatever other books they lacked, they *must* have a Bible (or, at the least, a Testament and a Psalter) and a

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<sup>49</sup> Colony Laws, published 1672, p. 26; Colony and Province Laws, 1814, p. 74.

catechism in all their houses. They were at much pains to teach their children themselves, or to procure them to be taught by others, to read the Bible while young, and early to reverence and take heed to it, as the Word of God. Nor did they show scarcely less solicitude early to initiate their children into an acquaintance with the great truths of the Bible, both doctrinal and practical, as laid down in the Assembly's Catechism. And lest there might possibly be some families who were negligent of the catechetical instruction of those under their care, the Selectmen of the town appear to have been accustomed, after the injunction of the Court in 1671, to go round among the several families, from time to time, with a view to ascertaining and rectifying what was amiss in any on this head. One instance of their care in this matter we have upon record in their Day Book, as follows: "The Selectmen mette the 5. day of Octob. 1674, and agreed on the 15 day of this instant mo. to goe throo the Towne, and ecsamin the familys about Cati-chising<sup>e</sup>." <sup>50</sup> The object of this visitation was doubtless the same as that which the law of that day suggested, viz, to question children whom they thought proper, out of their catechism; to reprove any heads of families whom they found negligent of it; and to use their influence and authority to induce them either to teach it their children themselves, or to employ others to do it for them.

By the time Woburn had been incorporated thirty years, a large proportion of its first settlers had left the world. Within that period especially, those seven commissioners, who had been intrusted with the care of laying its foundations, and had led the way in its settlement, had all rested from their labors. And here some brief notices of these worthies, to whom Woburn is so much indebted, may not be unacceptable.

1. The first of their number I shall mention, Mr. Thomas Graves, distinguished in the "History of Charlestown" as

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<sup>50</sup> Town Records, Vol. II., p. 166.

Rear Admiral Graves <sup>51</sup> was born at Ratcliff, England, June 6th, and baptized at Stepney, June 16th, 1605.<sup>51</sup> He became a seafaring man, and was master of several ships sailing between England and this country 1632, and the three years following. He married in Charlestown Miss Catharine Coytmore, a daughter of the noted Capt. Thomas Coytmore, to whom a grant of five hundred acres within the bounds of Woburn was made by the Court in 1640.<sup>51</sup> He and his wife Catharine were admitted into the church of Charlestown, October 7, 1639.<sup>52</sup> In 1640, he was made a freeman of the Colony, as his namesake, the Engineer, had been in 1631;<sup>53</sup> and being appointed the same year as a suitable person, with the aid of others, to build up a distinct church and town in the then recent grant of Charlestown Village, he appears, for a while, to have been actively engaged in promoting that design. It was at his house in Charlestown, the commissioners held their first meeting, December 1640, and

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<sup>51</sup> The family manuscripts, preserved by the descendants of this gentleman in Charlestown, represent him as identical with Mr. Thomas Graves, the celebrated Engineer and Surveyor, who laid out Charlestown in 1629.<sup>51</sup> And this, till recently, was the prevalent opinion on this subject. But it is now, for various reasons, generally given up, particularly on account of the apparent difference in their respective ages, and of the wide and striking dissimilarity of their handwriting. The Engineer, in 1629, the year of his arrival in this country, had left behind him in England a wife and five children, an indication that he was a considerably older man than the Admiral, born in 1605. Moreover, in the subscription of his name to the contract which he made March 1629, with the Massachusetts Company in London, previously to his embarking for New England in their service, the Engineer left a specimen of his handwriting, as did the Admiral of his, in signing his will. Copies of these autographs are presented to view in the History of Charlestown, by Richard Frothingham, Esq., page 140: and so great is the obvious difference between the two, that it can hardly be supposed that they were both written by the same hand.

<sup>51</sup> History of Charlestown, by Richard Frothingham, Esq., pp. 139, 140. "Ratcliff Hamlet, Camden says 'twas in his time a little town inhabited with sailors; and that here was a red Cliff, from whence it had the Name. Since the Houses taken from it, and added to St. Anne's, Limehouse, it contains about 1380. Stepney Church and Village are properly situate in this Hamlet." — *Complete System of Geography*. London: 1747; Vol. I., p. 116; *England, County of Middlesex*.

<sup>51</sup> Frothingham's History, p. 26.

<sup>52</sup> Records of 1st Church, Charlestown.

<sup>53</sup> Colony Records, Vol. I., pp. 366, 376.

agreed upon town orders for the contemplated settlement: and it was he who accompanied Edward Johnson in his journey to Dorchester, in the final attempt made to procure Mr. Burr for their minister. But at Mr. Burr's declining eventually to come to Woburn, Mr. Graves seems to have become utterly discouraged from making any further effort to build up Woburn. He resumed his old occupation of following the seas, and as Johnson expresses it in his verses prefixed to the Town Records of Woburn, with apparent allusion to him:

— “ He did hie  
To foren lands, Free from the Baby's crye,”

which he had undertaken with his associates to nurse and bring up.

In 1643, he was master of the “Trial,” the first ship built in Boston, and which had been under the command of Capt. Coytmore. And while sailing, during the Protectorship of Cromwell, as master of a merchantman upon a mercantile voyage, he met and captured a Dutch privateer in the English channel. For this instance of his bravery, the owners of the vessel rewarded him with a present of a silver cup; and Cromwell raised him to the command of a ship of war, with the title of Rear Admiral.<sup>51</sup> He died at Charlestown, July 31, 1653, in the 49th year of his age, sustaining the character of “an able and godly man.”<sup>51</sup>

Woburn Town Book, in recording the laying out of Richardson's Row in 1647, describes it as leading “from the three Richardsons to the town meeting house one way, and to Mr. Thomas Graves the other way.”<sup>54</sup> By the house of Mr. Graves here referred to, could hardly be intended a dwelling within the limits of Woburn, which he made his ordinary residence. As his name does not occur in the Woburn tax list of 1646, or in any list of town officers, or in any of the numerous allotments of meadow and other land to the inhabitants of Woburn previous to 1653, the year of his death, it is probable that he never occupied any dwelling-house within its limits; but that before

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<sup>54</sup> Town Records, Vol. I., p. 12.



its settlement was fully accomplished, he had taken up his residence in some house on the road from Woburn, within the bounds of Charlestown. The people of Woburn, however, appear to have always held in grateful remembrance his early efforts for the settlement of the town in its infancy; and in all the extensive divisions of their common lands made subsequently to his death, his widow had assigned her a liberal proportion.

2, 3, 4. The three Richardsons, — Ezekiel, Thomas, and Samuel, — were brothers, born in England, and for some time after their arrival were in this country, resident in Charlestown, where they had children born to them. Ezekiel, who was probably the eldest, was early admitted into First Church, Boston, which was gathered at Charlestown in 1630. From this church, he was dismissed October 14, 1632, with his wife Susanna and thirty-three others, and was embodied with them, November 2, 1632, into a distinct church at Charlestown, now the First Church in that place.<sup>52</sup> His brothers, Thomas and Samuel, were both admitted as members of Charlestown Church, February 18, 1637-8,<sup>53</sup> and they were all three dismissed from it, June 1642, to help form the church at Woburn. Upon their removal to Woburn, they lived near each other in the same street, which, from its having been the place of their residence, and of many of their posterity, has been known, from time immemorial, as Richardson's Row. They were members of Woburn church at its foundation; men highly respected in their day, and much employed in the business of the town. Their descendants bearing the name of Richardson, long have been, and still are more numerous, than persons of any other name in Woburn; and among them have been found some of the most valued members of the church and citizens of the place. Ezekiel died October 21, 1647; Thomas, August 28, 1651; and Samuel, March 23, 1657-8.

5. John Mousall was a brother of Ralph Mousall, one of the founders of the present First Church, Charlestown, in 1632. He was himself admitted into that church with his wife [Joanna?] Aug. 23, 1634; was one of the seven male members who constituted the church of Woburn at its gathering, Aug. 14, 1642; and afterwards one of its two original deacons till his

decease. He was also much honored in the town, being uniformly one of the "Commissioners to end small causes," in Woburn, and one of the Selectmen for twenty-one years in succession. He died March 27, 1665, leaving his widow, Joanna, a son, John Mousall, who was likewise a distinguished citizen in his day, and a daughter, Eunice, wife of John Brooks; but the name of Mousall, as a surname, is now extinct from the place.

6. Edward Convers was born in England, arrived in New England in the fleet with Winthrop, 1630, and settled in Charlestown. In 1631, grant was made to him of the first ferry between Boston and Charlestown, and of this he had the management several years, under the authority of the General Court. He was made a freeman of the Colony, 1631; served Charlestown as Selectman from 1635 to 1640; and was early admitted a member of First Church, Boston (gathered at Charlestown, 1630). From Boston Church he, his wife Sarah, and thirty-three other members were dismissed Oct. 14, 1632, to be embodied into the present First Church, Charlestown, entering into mutual covenant for this purpose Nov. 2, 1632.<sup>55</sup> His name stands at the head of the seven commissioners appointed by that church for effecting the settlement of Woburn: he appears to have been ever zealous and persevering in his labors for this end, and after the incorporation of the town, in 1642, he became one of its most popular and useful citizens. He was a member of Woburn Church from the beginning, and a deacon in it, one of the first two, till his death. In the civil affairs likewise of the town, he was much employed, serving uniformly as one of the Board of Commissioners for the trial of small causes, and being chosen annually as one of the Selectmen without interruption from the first choice in 1644 till his decease. He died Aug. 10, 1663, aged seventy-three years. His place of residence in Woburn was at the mill once called by his name in the South Village, now Winchester, and there, and in the vicinity, several of his numerous posterity continued to dwell for many years. Among his descendants, there ever have been and still are individuals

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<sup>55</sup> Church Records of Charlestown.

highly honored and respected; and one of their number, Major James Convers, a gentleman of much distinction in the Commonwealth as well as in the town, there will be occasion particularly to notice hereafter.

By his first wife, Sarah, who accompanied him from England, Deacon Convers had three sons, viz: Josiah, James, and Samuel (see genealogy), and a daughter, Mary, who first married Simon Thompson, 19th Dec. 1643, and he dying in May 1658, she married John Sheldon, of Billerica, Feb. 1, 1659. — *Woburn and Billerica Records of Marriages, Deaths, etc.*

Deacon Edward Convers' wife dying, 14th Jan. 1662, after he had made his will (in which he mentions her, and which is dated in Aug. 1659, and recorded Oct. 7, 1663), he married a second wife, Mrs. Joanna Sprague, of Charlestown, relict of Ralph Sprague, Sept. 9, 1662. — See *Woburn Records, and Will of Edward Convers.*

7. Last of all, but not least of this worthy band, died Edward Johnson. He originated from Kent in Old England; in a parish within which county, called in his Will, Heron Hill, that is "Herne Hill," or "Herne,"<sup>56</sup> and at a place in that parish, called "Waterham," he left behind, at coming to New England, both houses and lands, which he retained in possession during life, and divided by his will to six of his grandchildren, when he should be removed by death. According to statements of Hon. James Savage, in his Genealogical Dictionary, he doubtless came to this country in the fleet with Winthrop, 1630; requested admission as a freeman of the Colony, 19 October of that year, and took the Freeman's Oath, 18 May following; and thus after living some time at Charlestown, Salem, or other plantation to satisfy himself, he went back to England, to bring away his wife and children, in 1636, or 7. Upon his return voyage, his name is registered as follows, in a list of those who embarked from

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<sup>56</sup> "Herne, a town of Kent, 6 miles from Canterbury" etc., etc. — *Brookes's Gazetteer.*

"Sir John Fineux . . . . died about the year 1526, and lies buried in Christ's Church in Canterbury; who had a fair habitation in this City, and another in Herne in this County" etc., etc. — *Fuller's Worthies, Kent*, p. 76.



the port of Sandwich for the American plantations, in June 1637.

"Edward Johnson, of Canterbury, joiner, and Susan his wife, 7 children, 3 servants." <sup>57</sup>

He arrived in New England in the course of that summer, or early in the autumn of 1637, and took up his abode at Charlestown, where grants of land were repeatedly made to him for his accommodation in 1637, and in April 1638.<sup>58</sup> In the settlement of Woburn, for which he was one of the commissioners appointed by the church of Charlestown, he seems to have taken the leading part. At the first meeting of those commissioners, held at Charlestown, December 18, 1640, he presented a plot of the contemplated town, and was chosen its Recorder, or Clerk; an office he continued to sustain till death. He took a lively interest in the establishment of its church, of which he was a distinguished member from the beginning; and in the settlement of its first minister. His influence in the management of town affairs was great. He was put on almost all important committees for the distribution of the town's lands; and was uniformly appointed one of its Board of Commissioners for *trials of small causes*; and, with but few interruptions, one of its Selectmen till his decease. He was also captain of its military company, no small honor in that age of martial spirit and prowess. And accordingly, in mustering the forces of the Colony in that day, in his History of New England, having mentioned the bands of Concord and Cambridge, as being under two Kentish soldiers, (Captains Willard and Gookin,) he modestly notices "the band of Wooburn," as being commanded by "another Kentish Captain," meaning himself.

Captain Johnson was likewise deputy from Woburn to the General Court almost every year from the first choice of one, in 1646, till his death. And by that Honorable Body he was much distinguished, being chosen Speaker *pro tem.* for a short session in 1655; and appointed repeatedly on important committees. In

<sup>57</sup> Gleanings for New England History, by James Savage, Esq., in Collections of Massachusetts Historical Society, Vol. VIII., Series III., p. 276.

<sup>58</sup> Charlestown Town Records.



1643, before he became a member, he was sent by the Court with Capt. George Cooke and Lieut. Humphrey Atherton to Rhode Island, to apprehend the seditious Samuel Gorton. They had military commissions given them; and were attended by forty men.<sup>59</sup> At the restoration of King Charles II., to the throne of England, when the Charter of the Colony and all its privileges and liberties were apprehended to be in danger, he was one of an important committee, appointed by the General Court, in May 1661, consisting of eight laymen and four clergymen, to consider what was expedient to be done for their preservation, and to make report at the next session.<sup>60</sup> In June 1661-2, he was on a committee of the Court, with Deputy Governor Bellingham, Daniel Gookin, Esq., Thomas Danforth, Esq., and others, for the directing and despatching of Simon Bradstreet, Esq., and Rev. Mr. John Norton to England, as agents to plead the cause of the Colony there.<sup>60</sup> And in 1664, he was one of a committee of four (Hon. Richard Bellingham, Major General Leverett and Capt. Thomas Clark being the other three) to whom the Colony Charter was delivered by the General Court for safe keeping.<sup>60</sup>

He was the undoubted author of the early history of New England, styled, "The Wonder Working Providence of Sion's Saviour, in New England," which has already been often quoted or referred to in this work. That history was published in England in 1654, without the writer's name in the title page; and although it abounds in errors of the press, and has been noted for the indefiniteness or inaccuracy of many of its dates and statements, it still contains a large amount of authentic and valuable information, the want of which could hardly be supplied elsewhere. In it, the author frequently discovers a mind exceedingly embittered against the English prelates, in consequence, not improbably, of having suffered much from their arbitrary proceedings either in his own person, or in his friends. But at the same time, his work furnishes numerous and strong indications on his part, of a sincere, warm zeal for God and religion, an

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<sup>59</sup> Colony Records, Vol. II., p. 44. <sup>60</sup> Colony Records, Vol. IV., Part II., pp. 24, 39, 102.

earnest desire for the prevalence of piety and virtue, and a hearty love of his country and good men.

Capt. Johnson died April 23, 1672.<sup>61</sup> In his last will and testament, dated May 15, 1671, and written with his own hand, he expresses, in view of his approaching dissolution, a lively hope "through faith in Christ Jesus," "to have the sight of (his) Saviour to all eternity." From this instrument (still extant in the Probate Office of this County) it appears that he left a widow, Susanna, and seven children; viz: five sons, Edward, George, William, Matthew and John; and two daughters, Susan, (?) wife of James Prentice, and Martha, wife of John Ames (?) or Eames; and grandchildren by them all. Of his children, only three, William, Matthew and John, appear to have been then resident in Woburn. William and Matthew were his executors. *Matthew* was a carpenter by trade, and a much esteemed citizen, chosen repeatedly one of the Selectmen, and deputy from Woburn to the General Court. *John* was proprietor of a saw-mill; but having in his old age become poor, lame and helpless, he and his wife Bethiah were taken, in 1712, to Canterbury, Ct., by their sons, William and Obadiah, of that town, to maintain for life at Woburn's expense. William, son of Capt. Edward, was a man of superior talents and extensive usefulness in his day; and sustained for several years a very honorable station in the Commonwealth. And from him sprang a numerous posterity, who were long distinguished by their general respectability of character, and by the great influence they had in the affairs both of Woburn, and of its precinct, now Burlington; and some do yet survive, who maintain the ancient credit of their family. But more may be expected of William Johnson and his descendants hereafter.

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<sup>61</sup> Woburn Records of Births, Deaths, etc., etc.

### CHAPTER III.

Second Meeting-House — Erection of, 1672 — Description of — Settlement in, of Rev. Jabez Fox, 1679 — a Sabbath day's services in, 1680.

THE year 1672 is memorable in Woburn, as being the year in which Capt. Edward Johnson, the father of the town, died; and also as that in which the second house for public worship was erected. The precise time when the first meeting-house was built, has not been transmitted. It was certainly completed before September 14th, 1646, when the Selectmen agreed to call a meeting of the town to reckon about its expense.<sup>1</sup> And the probability is, that it was begun not long after the house lots and place for the meeting-house, originally laid out on the East end of the plantation, were transferred, February 1640-1, by advice of Hon. Increase Nowell and other gentlemen of Charlestown, to the present centre of the town; and that it was finished about the time of Rev. Mr. Carter's ordination in 1642. The memory of the place where it stood, has been better preserved. This, as one of the most intelligent citizens of Woburn, Mr. Batholomew, Senr., now deceased, once told me, was distinctly marked out by a slight banking, which was raised originally about the foundations of the house, and which was plainly visible till about 1788, when the ground was levelled for the accommodation of a military muster. According to his report, moreover, this bank was erected on the common in the centre of the town, about opposite the middle of the space between the town-house and the late Mr. John Fowle's store; and at such a distance northwardly from that interval, as would be sufficient for a road to pass between. And this description of the situation of the first meeting-house in this town agrees well with that which Johnson gives of it, in his "Wonder-working Providence," etc. In

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<sup>1</sup> Town Records, Vol. I., p. 9.

that History of New England, published in 1654, he observes that the meeting-house in Woburn stood in "a small plain where four streets meete."<sup>2</sup> These four streets could have been no other than "Hilly Way," or the road over the hill east of the common, where Deacon Mousall and other early settlers erected their habitations; "South Street," leading to Convers's mill and Mistick bridge, now the main road from Woburn to Medford; "Up Street," or "High Street," on which Rev. Mr. Carter's house then stood, now Mr. Silvanus Woods'; and "Military Lane," an ancient way, of which not a vestige now remains, but which is described in the Records,<sup>3</sup> as late as 1732, as coming down from the then meeting-house on Hilly Way, and as crossing the training field, (now the common in the centre) into Up Street or the most ancient road to the Shawshin. Now these several streets or ways, did meet together, as Johnson says, upon or near the "Small Plain," or common, now in the centre of the town: Hilly Way with South Street and Military Lane at or near the southeastern corner of the Plain; and Military Lane with Up Street, or High Street, upon or near its southwestern corner. And they all thus came together within a few rods distance from the banking described by Mr. Richardson, and so indisputably designate the site of the first meeting-house in Woburn.

But the earliest meeting-houses in New England, erected commonly by the people, in their zeal for the worship and ordinances of God, before they had scarcely provided a comfortable shelter for themselves and families, were of necessity but frail, temporary edifices; buildings more noted for the beauty of holiness within, than for external adorning, or skill in their construction. Concerning the first house for public worship in Boston, built in 1632, we are told by the Reverend historian of the First Church in that city, that "its roof was thatched, and its walls were of mud."<sup>4</sup> And it cannot be reasonably supposed, that this of Woburn, erected but about ten years after, was any better than that, or even hardly so good. The highly respectable gentle-

<sup>2</sup> Wonder Working Providence, Book II., Chapter XXII., pp. 175, 181.

<sup>3</sup> Town Records, Vol. I., p. 69, inverted.

<sup>4</sup> Emerson's History.



man, referred to by name in the beginning of this chapter, once informed me, that, judging of its dimensions by those of the banking at its foundations, it was a much smaller building than the second meeting-house; and that its posts, instead of being firmly mortised into substantial sills, according to the present mode, were made fast by their ends being driven into the ground. To such an humble house of prayer, and mean to look to, did your fathers love to resort weekly for the worship of their Maker: and they were notified of the hour by a bell hung on a hill in the neighborhood, (probably that back of the old Fowle tavern stand,) which was called from this circumstance many years after, Bell Hill.<sup>5</sup>

When this first meeting-house in Woburn had stood about thirty years, its visible decay, or its contracted dimensions making it too straight for the people to assemble in with convenience, rendered evident the necessity of another. At a general meeting of the inhabitants, Nov. 1, 1671, a committee was appointed to confer with several carpenters on the subject, and to report at another meeting, to be held on the 20th day of the same month. On that day, the town voted to build a new meeting-house, forty feet square, and of proportionate height, by contract. In pursuance of this vote, they chose Lieut. John Carter, William Johnson, John Wyman, and Thomas Peirce, for a Building Committee, and appointed the Selectmen and five other respectable citizens as a committee to contract with the Building Committee on behalf of the town, for raising and completing the house, to see them paid, and to engage to them £320 of town property, as security.<sup>6</sup> The meeting-house thus contracted for, the undertakers soon commenced building; and it was so far finished during the autumn of 1672, as to be then ready for occupation as a place for public worship. Accordingly, it was doubtless used for this purpose immediately, without previous ceremony; the present laudable custom of solemnly dedicating meeting-houses, before assembling in them for the ordinary services of the Sabbath, not having then been introduced into New England, nor

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<sup>5</sup> Town Records, Vol. I., p. 80.

<sup>6</sup> Town Records, Vol. I., p. 36.

for many years after.<sup>7</sup> To defray the expense of building this house of God, a tax was levied upon all the polls and estates in Woburn in 1672.<sup>8</sup> And at a final settlement with the undertakers, the town allowed them £334, which was a little more than was originally pledged them, in full satisfaction of all their cost and charge.<sup>9</sup> Reckoning the value of New England silver currency at that period (for paper money was then unknown) to have been what it seems from good authority it actually was, twenty-five per cent less than sterling money, just what it is now, the sum paid for the meeting-house was nominally equal to \$1,113.33. But as the usual price of Indian corn and other necessaries of life was then but just about half of what it is now, the real cost of the meeting-house to the town must have been equivalent to \$2,226.67 at the present day.

Above a century has elapsed since this meeting-house, erected in 1672, was taken down, with the design of building a town-house of smaller size out of its remains. Hence, there is no one now living in Woburn who remembers it when used for a place of public worship, or can give any information respecting either

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<sup>7</sup> The first settlers of New England, and their posterity for several generations after them, as they did not observe Christmas, so they did not consecrate burying-grounds, or dedicate their meeting-houses, by any special religious services. When a house for public worship was built and made ready for its intended use, they noticed the occurrence, generally speaking, only by an appropriate discourse on the first Sabbath they occupied it. For instance, when the present Old South Church, Boston, was first opened, on Sabbath day, April 26, 1730, for public worship. Rev. Mr. Sewall, the senior pastor, preached, A. M., from Haggai ii. 9, "The glory of this latter house," etc.; and Rev. Mr. Prince, his colleague, P. M., from Psalm v. 7, "I will come into thy house," etc. The first meeting-house in Brattle Street was first opened for public worship on Lord's day, Dec. 24, 1699, on which occasion, Rev. Dr. Colman, its first minister, preached from 2d Chron. vi. 18, "But will God in very deed dwell with men on the earth?" etc. And so late as 1773, when the present house of that society was first opened on Sabbath day, July 25th, Dr. Cooper preached in the morning from Gen. xxviii. 17, "This is none other than the house of God," etc.; and Rev. Dr. Chauncy (with whose people the Brattle Street Society had met while their own house was building) preached in the afternoon from Psalm xxvi. 8, "Lord, I have loved the habitations of thy house," etc.—See *Palfrey's Historical Discourse, Appendix, Notes, pp. 39, 63.*

\* Town Records, Vol. I., p. 38.

\* Town Records, Vol. I., p. 41.

its external appearance or its internal structure, from his own recollection. On both these topics, however, numerous particulars may be gleaned from the Town Records; some have been handed down by credible tradition, and a few may be very plausibly conjectured, in view of other ancient meeting-houses which were erected about the same time with this, and which were left standing till within a recent date, the striking memorials of the customs and fashions of olden times. Availing myself of all these several sources of information, especially of the two named first, I have attempted to draw up a description of this forgotten house of worship, as like the original as possible, and which may not be uninteresting to the present inhabitants of Woburn to read.

The second meeting-house of Woburn stood, it is well known, upon the hill on the southeast side of the common. Around it grew a number of shade trees, which the prudent care of the fathers of the town had saved from the axe in felling the surrounding forest, and which now served both for ornament and for use.<sup>10</sup> Beneath the pleasant shade of these trees, or close by them, were successively erected, with the leave of the town, and under the direction of the Selectmen, some thirty or forty sheds, for the accommodation of the horses of numerous individuals on Sabbath days and other occasions of public assembly.<sup>10</sup> The meeting-house itself was an edifice forty feet square, facing south, and having the pulpit on the north side.<sup>11</sup> Its frame was of solid, massive oak, some portions of which were long preserved in the town, and are still, or were recently, to be seen.

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<sup>10</sup> The Selectmen, Dec. 25, 1712, laid out to Robert Convers, Josiah Convers, Jr., William Johnson, Jr., and Thomas Reed, a spot of ground on the south side of the Meeting-House Hill, thirty-six feet in length, "for Stables to set horses in on Saboth dayes and such like occasions." By direction of the Selectmen, these stables were to be erected nine feet square, adjoining each other, and in a range with one another, about six feet "South of the most Southerly Shade Tree," and not to be extended westward within sixteen feet "of the now Horse Block," etc., etc. — *Town Records, Vol. V., p. 242.* Numerous other grants of ground for stables, for the same purpose, are upon record.

<sup>11</sup> Zebadiah Wyman, Esq.; Mr. William Fowle.



Its roof, like that of its venerable contemporary, taken down a few years since upon Lynn plain, was surmounted by a small cupola or *turret*,<sup>12</sup> in which was hung a bell that was rung, probably, as at Lynn,<sup>13</sup> by a rope attached to it, and descending through a hole in the roof into the centre of the broad aisle.<sup>13</sup> And that the hour for ringing the bell and commencing divine service might be known, a sun-dial was procured shortly after the building of the meeting-house, which being set upon or near it, supplied the place of a clock in fair weather.<sup>14</sup> The windows were casements hung like doors upon iron hinges, and otherwise well fortified with iron;<sup>15</sup> and the lights were set with lead, and probably of the diamond shape, as is the case with windows still to be seen at the back of several of the most ancient dwelling-houses of the town. Galleries there were on the sides of the meeting-house, within; yet not all built at once, but as circumstances rendered them expedient. At a general meeting, Feb. 27, 1677-8, the town granted leave to the young men of the place, upon certain conditions, to build a gallery for their accommodation on the east side.<sup>16</sup> The same year, (26 August,

<sup>12</sup> "Joseph Richardson Sen." Cr. "By Cills [Sills] for the Meeting hous territt & door cill, as money 00:10:00." — *Town Records*.

<sup>13</sup> Letter of Rev. Parsons Cooke, of Lynn. 1674. The Town Dr. to John Tead for ringing the bell £1:10:00. — *Town Records*, Vol. II., p. 22. In a reckoning with Gershom Flagg, Oct. 2, 1676, he was allowed by the Selectmen for "the *belrope*," etc. — *Town Records*, Vol. II., p. 48.

<sup>14</sup> Town Records, Vol. II., p. 31. The Town Dr. in 1675, To Gershom Flagg, "for the dyall post." — *Town Records*, Vol. II., p. 23.

<sup>15</sup> March 8, 1699-1700. The Selectmen "agreed with Simon Tompson to ring the bell, sweep the Meeting hous, see to shut the Casements and doors, as need requires," etc., etc. — *Town Records*, Vol. IV., p. 158.

Feb. 9, 1701-2. The Town Dr. to "Daniel Baldwin for Iron work for a Casement for y<sup>e</sup> Meeting house: £00:02:06." — *Town Records*, Vol. IV., p. 196.

"To Serjt Sam<sup>l</sup> Waters for a Casement for y<sup>e</sup> Meeting house, £00:03:00." — *Town Records*, Vol. IV., p. 197.

"Nov<sup>br</sup> 1729. For mendin of the meetnes [meeting-house] glas :

"For maken of 2 foot of new glas 00:04:04."

"For new leden [leading] 3 foot of old glas : 00:04:00."

etc., etc., etc. — *An old Account on file*.



1678,) one instruction given by the town to a committee for repairing the meeting-house was, to build what galleries might seem to them convenient.<sup>16</sup> In 1707, "the hinde seat in the East galery next the staiers," was granted to eight young men to sit in, they to repair it at their own charge.<sup>17</sup> And in 1694, mention is made in the Records of an "upper gallery,"<sup>18</sup> which was doubtless built over one of the others, and designed for the negroes, who were then far more numerous in Woburn than they are now. The floor of the house was not originally covered with pews, as was recently the universal practice. For upwards of forty years, only two of these aristocratic privileges (as they were probably deemed) were to be seen in Woburn meeting-house,—one the minister's pew, the other for the deacons' wives, the deacons themselves having an appropriate seat of their own.<sup>19</sup> In 1713, the town, by special favor, allowed Col. Jonathan Tyng, a gentleman from Boston, who had been one of Governor Sir Edmund Andros's Council, and who, more recently, had married the widow of Rev. Jabez Fox, of Woburn, and come home to reside, to erect a pew in the meeting-house, at his own cost, which was to be the town's property after his own and his lady's decease.<sup>19</sup> Three years after, viz, March 1716, leave was given by the town to the daughters of four principal families to build a pew to sit in, with the proviso that it was to be the town's, whenever they saw fit to leave it.<sup>20</sup> But so much disturbance did the grant of this privilege excite, that the town within six months revoked their grant.<sup>20</sup> And in 1738, upon the petition of Nathaniel Saltonstall, Esq., Jonathan Poole, Esq., and Capt. Isaac Dupee, gentlemen of distinction in the town from abroad, that they might each of them be allowed to build pews for themselves, the town voted liberty to the former gentleman to sit in the pew once occupied by Col. Tyng; but denied all of them liberty to build any more.<sup>21</sup> Only three pews, then, were ever permitted to be erected and to stand permanently in this second meeting-house in Woburn, as the seats

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<sup>17</sup> Town Records, Vol. V., p. 43.

<sup>18</sup> Town Records, Vol. IV., p. 41.

<sup>19</sup> Town Records, Vol. V., p. 254.

<sup>20</sup> Town Records, Vol. V., pp. 336, 364.

<sup>21</sup> Parish Records, Vol. I., p. 97.

of individual families, in distinction from the rest of the congregation. The remainder of the lower floor, as likewise the whole of the gallery floors, was taken up by seats, which were under the control and at the disposal of the whole town. Under the windows by the wall on the east and west ends, there ran two long benches, which at one time were the appointed seats of the boys.<sup>22</sup> The rest of the ground on each side of the broad aisle was taken up with ranges of seats facing the pulpit, and having backs to them, like those of the old-fashioned settles, though not so high; those on the east side being for the male, and those on the west side for the female portion of the congregation.<sup>23</sup> And that each individual might know and take his own place without confusion in time of public worship, the town at a general meeting, October 8, 1672, as soon as the meeting-house was ready for occupation, chose five men of character and influence as a *seating committee*, to appoint to all the other inhabitants their respective seats in the house of God; and at the same time was appointed another committee of two, to seat the seating committee themselves with their wives.<sup>24</sup> To aid the seating committee in the discharge of their perplexing duty, they were on this occasion expressly instructed by the town to have respect in it to three things, viz: estate, office, and age.<sup>24</sup> And as death and other causes were continually operating to break up the arrangements of this committee, and to make new ones necessary, the town was accustomed in after years, to choose from time to time a new seating committee, whose business it was to repeat the invidious, difficult task of their predecessors; the doing of which was often the source of much bitterness, and in some instances of hot contention among the inhabitants, as there may be occasion to notice hereafter.

At the head of the broad aisle, there once stood a table, designed no doubt for the communion service; and that so large a one, that it was found necessary, in order to make room for it, to crowd the seats back towards the front of the house.<sup>25</sup> Before the pulpit and adjoining to it, were, I presume to say,

<sup>22</sup> Town Records, Vol. II., p. 36.

<sup>24</sup> Town Records, Vol. I., pp. 37, 38.

<sup>23</sup> Town Records, Vol. V., pp. 219, 254.

<sup>25</sup> Town Records, Vol. I., p. 93.

two seats; of which the lower and front one of the two was occupied by the deacons.<sup>26</sup> The other and more elevated one was styled, like a corresponding seat to be seen, till within a few years, in the Congregational meeting-house in South Reading, the elders' seat, because designed originally for ruling elders of the church. For although, from some cause, neither the church in Woburn, nor that in South Reading, is known to have been ever served by officers of this denomination, yet, doubtless, both these churches formerly recognized the office as of divine institution.<sup>27</sup> In ascending the pulpit stairs, there rose, fixed to that end of the pulpit, or of the elders' seat adjoining it, a tall, slender iron rod, with a little enclosure of iron or wooden painted balusters at the top, in which rested an hour glass; placed there, not to show the preacher how soon he might with decency leave off, but to be a silent monitor to warn him how long without offence he might hold on.<sup>28</sup> At the head of the pulpit stairs, against the wall, there was probably a narrow seat, where sat in service time the sexton, that he might be at hand to turn the hour-glass when its sands had run out, and also to receive any communications from the minister for which there might be occasion. In the pulpit itself, there was a cushion in front, as in modern pulpits, which served as a convenient resting-place for the preacher's notes.<sup>29</sup> But no Bible in folio was to be seen there, from which a portion might be read in the regular services of the sanctuary. For though our Puritan fathers accounted the Holy Scriptures as a complete and sufficient, as well as the sole rule, not only of faith and practice, but likewise for the worship

<sup>26</sup> Town Dr. 1681. "To Joseph Richardson in timber and pay to Houlton for worke he did on the deacons' seate, £00:12:00." — *Town Records*, Vol. III., p. 19.

<sup>27</sup> See "Proposals," or Declaration of the Church of Woburn, 1703; copied in Chapter V.

<sup>28</sup> Town Dr. 1673. "To Josiah Conuers for the Iron for the houer glasse - - - - - £00:04:00."

"At Selectmens meeting 3:12:1678 [Feb. 3, 1678-9]  
Due to decon Conuers 'for the bying an houer glas'" etc.. etc. 00:02:00.  
*Town Records*, Vol. II., pp. 4, 114.

<sup>29</sup> 1677 Town Dr. "to Matthew Johnson for a cushen. - £01:9:4."

*Town Records*, Vol. II., p. 75.



of the Lord's house, yet by a strange inconsistency, and it is to be feared from a measure of prejudice against the usage of the Church of England, from which they had separated, they esteemed the simple reading of the Word of God in public worship as an unedifying practice, unless it were accompanied with some exposition of man.<sup>30</sup>

At the time this meeting-house was finished, it was unquestionably capacious enough to seat all the inhabitants of Woburn with ease. But so fast did the population increase, that it speedily became necessary to increase its accommodations. As early as 1678, it was found expedient to make to it certain additions.<sup>31</sup> And subsequently to this period, much labor and cost were bestowed on repairing and enlarging this house of God. In 1694, for instance, the town voted at March meeting, that their meeting-house should be repaired withinside and without; seats mended, and new ones erected, at the discretion of a committee then chosen for the purpose.<sup>32</sup> And this vote appears to have been punctually executed. And again in 1709, the meeting-house was not only repaired anew, but an addition made to it of twenty feet on the East end.<sup>33</sup> And it deserves to be mentioned, as a testimony to the zeal for God's house with which a large proportion of the inhabitants of Woburn at that day were animated, that the expense of the repairs in 1694 was defrayed chiefly, and that of the addition just spoken of in 1709, entirely, by a voluntary subscription.<sup>33</sup> And thus, through a constant care bestowed on its preservation and keeping it in good repair, this second meeting-house in Woburn, which I have been endeavoring so much at length to describe, stood eighty

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<sup>30</sup> "In Boston, after prayer and before singing, it was the practice for several years for the minister to read and expound a chapter. Whether it was because this carried the service to too great a length, or any other reason could be given for it, in a few years it was laid aside, except when it came in place of a sermon. Exceptions, may we not say cavils, have been made by some learned, serious ministers, against reading the Scriptures, as part of the divine service, without an exposition." — *Hutchinson's History of Massachusetts, Vol. I., Chap. iv., pp. 427, 428.*

<sup>31</sup> Town Records, Vol. I., p. 93.

<sup>32</sup> Town Records, Vol. IV., pp. 19, 21, 25.

<sup>33</sup> Town Records, Vol. V., p. 120.



years. Fifty-eight years of this period, it served as the house of worship for the whole of the then town, comprehending Wilmington, Burlington and Winchester with what is now Woburn within its bounds; and then as the place of solemn assembly for the first parish, till the erection of the third meeting-house in 1752. Concerning its subsequent demolition, with a view to making a town-house of its materials, and the eventual failure of that scheme after the building was raised anew, there may be occasion of speaking hereafter.

It has often been observed, that the building of a new meeting-house is quickly followed by the settlement of a new minister. But in the present case, the remark was not verified. After the meeting-house I have so long been speaking of was completed, instead of treating their aged minister, Rev. Mr. Carter, with unkindness or neglect, or manifesting impatience to see a successor in his room, the people of Woburn gave him substantial evidence of increased attachment. At a general meeting, Nov. 16, 1674, called expressly to confer about Mr. Carter's maintenance, it was agreed by a major vote, say the Records, "that the Towne wold yerly bringe Mr. Thomas Carter, our Reuerant Pastor, twenty Cord of wood, and deliure it at his dore, ouer and aboue his fower score pound, provided that those that will, may haue leaue to take the said wood off his own land."<sup>34</sup> The singular proviso annexed to this vote was doubtless added on behalf of a few, who were ready enough to do their part in this act of generosity to their pastor, by giving their labor in drawing his wood to his house, but whose poverty, or distance, or both, might make it too burdensome to take it from their own lots, if they had any.

At length, however, Mr. Carter's advanced years and growing infirmities rendered it evident that aid was needed by him, and would probably be welcome. At a general meeting, Aug. 26, 1678, the town voted unanimously, that they would procure a minister to help Mr. Carter. They also granted four single rates, amounting to about £120, (one quarter part of which was to be paid in silver) for the maintenance of the ministry: viz. £50 for

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<sup>34</sup> Town Records, Vol. I., p. 54.

Mr. Carter's assistant, and £70 for Mr. Carter himself, who, in view of the increased burdens of his people on his account, consented to be satisfied with that sum, and with his wood, as agreed upon in 1674, instead of £80, his original compensation.

At the same time, they appointed a committee to wait on Mr. Jabez Fox, a graduate of Harvard College, and then a resident licentiate at Cambridge, and to invite him to Woburn, as an assistant to Mr. Carter for one year.<sup>35</sup> Mr. Fox accepted the invitation. And so well satisfied were the people with his services, that before the term of his engagement expired, they unanimously agreed and voted at a town meeting, July 16, 1679, that they would give him "a call to the ministry, with an intent he may be called to office, in time, if God make waye; and also agreed that for this yeare they will allow him fuetty pounds, one quarter of it in silver; his house rent and his firewood, and afterward inlarge, as God shall inable them."<sup>36</sup> This invitation to a temporary engagement in the work of the Ministry was soon followed by a call to the pastoral office in the church, and to a permanent settlement as a minister of the Gospel in the town. The proceedings of the church on this occasion cannot be specified, as its ancient Records have long been missing. But at a meeting of the town, Nov. 5, 1679, it was voted "that they wold giue the Reuerant Mr Jabiz floxe a Call to be their minister for his life time": and the Town, on that consideration, agreed to give him half of several pieces of land, which they had prudently reserved for the benefit of the future officers of the church, in the general distribution of their common lands a few years before; and the use of the whole, till the town should need the other half for another officer.<sup>36</sup> And to crown the indubitable tokens of esteem and affectionate regard which they had already given for this minister of their choice, the people at a meeting, called Nov. 10, 1679, agreed, it seems, to build a house for him, and to present it to him as a gift.<sup>36</sup> And Mr. Fox wishing for some alterations in the dimensions of this house as then determined, to gratify his wishes in this respect, another

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<sup>35</sup> Town Records, Vol. I., p. 93.

<sup>36</sup> Town Records, Vol. I., pp. 93, 101, 102.

meeting was called a month after, Dec. 8th, when they voted as follows:

"Whereas the Town had formerly agreed to build the Reuerant Mr foxe a dwelling hows twenty foure feet in laneth, eaughteene feet wide, and thurteene feet stud, a stack of three brick chimnies, a cellar under it, and a leanetwo at the chimney end, and so to finish the said hows and giue it him: now the Towne did agree, upon Mr Foxe's desire, to build the said hows fourty feet long, eaughteene feet wide and thurteene feet stud, a stack of three chimnys and cellar and finish it; Mr foxe being willing to allow toward the worke twenty and fiue pounds, and fiue pounds more, in case that be not suffistiant for what is expended for the making the said hows sixteene feet longer than was agreed of by the Towne in the first place: and decon Joſiah Conuars, Ensigne James Conuars and William Johnson are appointed a Committee to oursee the worke and order the same till it be finished," etc.<sup>36</sup>

According to minutes preserved in the records, the materials of this house, and the labor in framing, erecting and completing it, cost about £133, of the then currency of Massachusetts.<sup>37</sup>

To meet this expense, the town granted in December 1679, four single rates, amounting to £122.15s.<sup>38</sup> They also ordered, at the meeting Dec. 8, 1679, just referred to, "that the pece of land reserued for an officer near Tottingham's should be sould to carry an end the bulding of Mr. Foxes hows."<sup>39</sup> The sum which Mr. Fox agreed to give toward it was never actually paid into the town treasury; but was allowed in a settlement with the Selectmen, May 9th, 1698, toward the payment of certain arrears for salary that had long been due.<sup>40</sup> The house thus built by the town and given their minister is known to have stood where the house of Jonathan B. Winn, Esq., now stands, and was occupied by Rev. Mr. Jabez Fox, and by Rev. Mr. John Fox, his son and successor in the ministry, for about seventy-six years. The precise time of the ordination of Rev. Jabez Fox, as colleague with

<sup>37</sup> Town Records, Vol. III., pp. 167, 168, 169.

<sup>38</sup> Town Records, Vol. I., p. 101.

<sup>39</sup> Town Records, Vol. I., p. 104, 5.

<sup>40</sup> Town Records, Vol. III., p. 117.

Rev. Mr. Carter, is not stated in the Town Records; but is supposed to have been not far from November 15, 1679.<sup>a</sup>

Thus were the inhabitants of Woburn provided with a house for God's worship in the room of that wherein their fathers kept Sabbath at the first in this then wilderness; and with a man to conduct the services of the sanctuary, when their aged pastor should be taken away. And now, that I may present a more vivid display of the interesting peculiarities of their public worship, for which all these means and instrumentalities were procured, may I be permitted to relate the particulars of a visit which I once paid them *in imagination*, to keep Sabbath with them in their new meeting-house, and to hear their new minister.

Borne then aloft on the wings of fancy over the current of time, and retracing its stream with an indescribable velocity, I suddenly alighted one fine Sabbath morning, about the 20th of June, Old Style, in the year of our Lord one thousand six hundred and eighty, at New Bridge in Woburn; and taking by instinct, as it were, the road which led to the centre of the town, I began at once slowly to wend my way thither. The sky was serene, the air warm, and the surface of the meadows and grass-grounds was clad in the richest green. But a solemn stillness presided over the bright scene which nature had spread around me. Neither man nor beast was to be seen at work in the field. No sound of the hammer, or of the woodman's axe saluted my ear; no rumbling carriage of travellers on business or pleasure met my eye. Almost the only tokens of animal life abroad, that I perceived in my walk, were the motions and notes of hundreds of birds, whose songs, together with the fragrant odors diffused by the blossoms and a rich variety of flowers in the gardens and orchards I passed, seemed like a morning offering of praise and sweet incense to the great Lord of the Sabbath, by whose decree summer and winter, seed-time and harvest never cease. Nor, amidst the homage paid by the inanimate

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<sup>a</sup> In Town Records, Vol. I., p. 105, Major Johnson, the then Town Clerk, makes the following remark in the margin: "The midle of the 10th. mo. 1680, apeered a very great blazing starr, to the wonder of the world."



and by the irrational portions of the creation, was man their lord insensible to the claims of the Creator. As I went by the low and thinly scattered dwelling-houses of this then humble village, whose doors and windows the warmth of the morning had caused to be opened, I heard, before some, the voice of prayer from within; and at the windows of others, I observed flocks of little boys and girls reading to their pious mothers in the Testament or Psalter, or answering the questions of that far-famed compend of Christian truth and duty, the Assembly's Catechism. While I thus proceeded along, endeavoring to compose my mind into a suitable frame for the exercises of a day, to whose sacredness all that I saw and heard, as well as all that I did not, seemed to bear witness, I was suddenly overtaken on the common by a man, who afterwards made himself known to me as goodman Jonathan Thompson, the sexton for that year,<sup>41</sup> who had just been at the minister's to receive from him certain directions before the hour of prayer arrived, and was now on his way to open the meeting-house. Perceiving me to be a stranger, he civilly accosted me; and learning that I wished to worship with them that day, he kindly offered to conduct me to the house, and find me a seat. We went by the way of Military Lane:<sup>42</sup> and as we walked up the hill, several honest couples passed us on horseback, who severally eyed me with a keen look of yankee-like inquisitiveness, but said nothing; and, nodding respectfully, jogged on. These, my guide told me, were the Jaquiths, and the Butters's from Goshen, and the Reeds, and the Walkers and the Wilsons from Shawshin; who, he shrewdly remarked, though farthest from the Sanctuary, were always first to be there.

Having reached the meeting-house, as I stood in front of it a few minutes, admiring the beauty of the lofty trees with which it was surrounded, numerous other couples arrived on horseback, a large proportion of whom, I observed, drove up to a stone horse-block, about a rod from the southernmost shade,<sup>43</sup>

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<sup>41</sup> The Town Dr., in the year 1680, "To Jonathan Tompson for ringing the Bell, and sweeping the meeting hows, £01: 10: 00."—Town Records, Vol. I., p. 107.

<sup>42</sup> See Chapter I., note 31.

<sup>43</sup> See note 10. This horse-block is still preserved.

and there successively alighting, tied their horses to a long row of stakes set in the ground, and then leisurely advanced toward the meeting-house. As they overtook one another in their approach to where I stood, they saluted each other with a friendly smile and a cordial shake of the hand. But I overheard in their conversation not a word dropped upon politics or the prospect of crops; scarcely anything, in fact, but certain observations and questions which seemed to be dictated by pious gladness, or by a spirit of benevolence and affectionate sympathy for their neighbors or one another. "What a beautiful Sabbath 'tis!" exclaimed one to another; "and how thankful ought we to be for such a lovely morning as this, to come to meeting!" "What," inquired another, "does the doctor say to Brush's child, poor thing; does he think he'll ever get well of his fall?" "Are the neighbors," asked a third, with an anxious pitiful look, — "Are the neighbors attentive to visit poor goody Gilson in her trials, and to carry her in supplies?" "How," questioned a fourth, with much solemnity of countenance, — "How did goodman Farrar appear in his last moments? Did his faith and patience hold out to the end? Did he give evidence to the minister of a good hope?" and, "When, good man, will he be buried?"

And thus, having finished the few brief remarks and inquiries of this sort which they had occasion to make, they tarried no longer at the door; but uncovering their heads the instant they stepped on the threshold, they reverently entered the house of God, and quietly took their appointed seats. And now my friend, the sexton, pointing to the dial, which showed it was almost nine o'clock, and saying it was time to ring the bell, I followed him in to a seat, where I had good view both of the ministers and hearers, and where, while the people were gathering, I improved the opportunity to look around, and survey the novel, interesting scene.

In the front row of seats facing the pulpit, on the east side of the broad aisle, were the Selectmen. At the head sat William Johnson, whom I knew by his open, ingenuous countenance and robust, vigorous frame, such as I have seen in some of his

posterity. Next came Ensign James Convers, grave, thoughtful and attentive in his looks, resolute and energetic in his whole demeanor. At his side sat Sergeant Matthew Johnson, a brother of William; and, next to him, John Wright, Jr., and Francis Kendall—all honored names in their day. In the opposite row of seats, on the west side, were the wives of the Selectmen, all fair in appearance and becoming in behavior; and yet whose silk dresses, or the addition of a few extra ribbons to their attire, showed that they had not forgotten the lessons touching the necessity of maintaining distinctions of rank by distinctions of dress, which their mothers had taught them on the other side of the Atlantic. The second and third ranges of seats on the east side were occupied by men whose hoary locks and bending forms proclaimed them to be the surviving few of those who had come up to Woburn at the first to take possession of the land; but whose fixed eyes and laboring ears and solemnity of air were strong indications that their thoughts were now set on a better country, and that they had come to the Lord's house to-day, seeking direction and encouragement in their pilgrimage to it. As my eyes ran from this interesting class of men across the aisle, and surveyed for a moment the venerable matrons, the wives of their youth, or the widows of their early associates now deceased, who filled the two opposite rows of seats, methought I saw a striking exemplification of the Apostle's counsel, "Whose adorning let it not be that outward adorning of plaiting the hair and of wearing of gold, or putting on of apparel; but let it be the hidden man of the heart, in that which is not corruptible, even the ornament of a meek and quiet spirit, which is, in the sight of God, of great price." Next to the aged men's seats came those appropriated to the substantial farmers and tradesmen of the town, who were all arranged in them with some regard both to their years and to the proportion they paid of the public taxes. There, in dense, crowded ranks sat the Converses and Johnsons, the Richardsons and Thompsons; the Mousalls and the Winns, the Wrights and the Baldwins; the Kendalls and the Carters, the Russells and the Walkers; the Peirces and the Wymans, the Fowles and the Simonds; the



Brooks and the Teeds, the Flaggs and the Reeds; the Snows and the Cutlers, the Lockes and the Butters's, and many other respected names, all or most of which are borne to this day by descendants in Woburn and vicinity. There, too, were to be seen the Brushes, now turned into Bruces; and there, too, the Pollys and the Greenes, the Henshaws and Berbeanes, the Cleavelands and the Farrars, the Lepingwells and Bakers,—names once familiar to the ancient inhabitants of Woburn, but which, with others, are now quite extinct in the town, having long since given place to the Parkers and the Cummings's, the Tays and the Skeltons,—names common here in succeeding generations, and now better known. In the corresponding seats on the west side of the aisle sat the wives of these worthy men,—helps meet for them indeed,—who, arrayed in plain homespun garments of the most perfect neatness, defended from soiling by tidy aprons of the purest white, carried evidence in their dress that they came to the house of God to pray and to praise, rather than to see and be seen.

In the remotest seats on the floor of the house, and in the east and west galleries, sat the young men and women,—the flower of Woburn. And, last of all, upon the two long benches against the wall, on the east and west sides of the broad aisle, were seated the boys of the congregation, whom, full of life and playfulness as they were, a grave overseer, with a rod, and a constable, with a staff of office in his hand, at the end of each seat, made out to keep in tolerable restraint; although some of them, I observed, as they looked or winked at one another, could hardly, at times, suppress a whisper or a rising smile. In the deacons' seat sat John Wright, Sen., one of the earliest settlers of the town, but now stooping under the weight of three score years and ten; and Josiah Convers, a brother of the ensign, and like him, of a grave, intelligent, and active appearance. The elders' seat was empty; for, though the church of Woburn held to the Cambridge platform, which represents the office of ruling elder in the church as of divine institution, yet no one of her sons, whom she may have thought worthy of the office, was ever found willing to accept it. In the pulpit, at the



left hand, sat Mr. Fox, the recently ordained colleague of the senior pastor, now in the vigor of manhood, a sedate, solid preacher, and much beloved by his flock, both old and young. At the head of the pulpit was Mr. Carter, the senior pastor himself, whose furrowed cheeks and hoary locks signified to all that his work was almost done; and who, as with placid eye and benevolent countenance he looked round upon the people of his charge, seemed to be bidding them all, one after another, farewell; as though he thought that the present might possibly be the last time he should ever meet them there. But while my eyes had thus been moving over this numerous assembly, and were fixed for a moment on their venerable senior minister, the congregation had all collected, the bell had ceased tolling, and the sexton had taken his wonted seat at the head of the pulpit stairs. Divine service was presently commenced by Mr. Carter with a short invocation; praising God for the light and privileges of another of his holy days, and fervently imploring his presence and aid in the prayers and praises now to be offered, and his blessing upon his Word now to be dispensed. The introductory prayer being over, I was expecting to hear the Scriptures read, as I had been used to. But after waiting a few moments, looking for this portion of Divine service to begin, Deacon Wright arose to announce singing; and, holding in his hand the Collection, entitled the "New England Psalms, Hymns and Spiritual Songs," that now forgotten, but once favorite version of our fathers, both in their private and public devotions, he read five stanzas of the 5th Psalm, as follows:

"Jehovah, to my words give ear,  
My meditation weigh;  
My King, my God, my cry's voice hear,  
For I to thee will pray.

"Thou in the morn my voice shalt hear;  
Lord, in the morning I  
Will unto thee direct my prayer,  
And will look up on high.

"For thou art not a God that will  
In wickedness delight;  
Nor shall with thee dwell any ill,  
Nor fools stand in thy sight.

“Craftsmen of sin, thou hat'st all them,  
Thou shalt him 'stroy that lies :  
The Lord will loath the bloody man,  
And them that guile devise.

“But I will to thy house draw near  
In thine abundant grace ;  
And I will worship in thy fear  
Towards thy holy place.”

When he had finished reading, I was right glad to hear him give out Windsor, as the tune to be sung; for that is a tune, which, like others of the same class, such as plaintive Canterbury and Little Marlborough, and mournful Bangor and Isle of Wight, and stately Rochester and Wells, grave Colchester and Wantage, sweet-toned Barby and Mear, cheerful York and St. Martin's, and majestic Winchester and Old Hundredth, I am always delighted to hear sung on suitable occasions; but which, from the general change of the public taste in Sacred Music, I am seldom or never likely to hear again. The deacon, having announced the tune, read the first line again, and then, with a tremulous voice commenced singing, in which he was instantly joined by almost the whole of the congregation, sitting, both by old and young, males and females. These, as he read severally a line of the portion he had given out, would catch the words from his lips, and fall in with him in singing it. And never, thought I, had I heard singing, that was on the whole quite equal to this. There was no exact harmony in it, no perfect keeping of time, and much otherwise, at which a critical ear might justly take offence. And yet there was in it that, which to me was exceedingly interesting and impressive. The sound coming from such a multitude of voices, seemed as the roar of thunder and the voice of many waters. And then, there was such a seriousness in the appearance and manner of the great majority, such an evident engagedness in this act of praise to the Most High, as caused a deep solemnity to pervade the whole congregation, and in my humble opinion much more than compensated for all the musical faults and deficiencies of the performance. Here, thought I, if anywhere, is a specimen of singing to the Lord

with the Spirit and with the understanding also, of that melody of the heart which makes even the meanest attempts at melody with the voice an acceptable offering to God through Jesus Christ, and insures his favorable presence in the assemblies of his saints.

To singing succeeded what is commonly termed with us *the long prayer*. And it might very significantly be called so in the present case; for it occupied, as it seemed to me, at least three-quarters of an hour. And yet it was made, I am confident, from better motives than the long prayers of the Pharisees, and without any visible signs of weariness or impatience on the part of the congregation. It was offered by Mr. Carter, who, previously to commencing it, read a large collection of little bills, or notes, as they were called, expressive either of thanksgiving to God on the part of sundry individuals for various mercies which he had recently vouchsafed them, or of desire on the part of others for the prayers of the congregation, that the Lord would be pleased to grant help or relief in sundry exigencies of trouble or suffering there particularly enumerated. Nor did I understand that the notes read this day were more numerous than common, but only a fair sample, in this respect, of what used to be presented every Sabbath. For the first planters of New England, and in a good degree their immediate successors, were eminent for their practical belief in a particular Providence; such as extends not merely to the general interests and concerns, but to the minutest affairs and events of this lower world. They had a firm, realizing, ever present persuasion of the truth of those declarations of the Saviour, that the very hairs of our heads are all numbered with God, that not a sparrow, much less an individual of his human family, falls to the ground without his direction or permission. And they were well assured, too, of the efficacy of humble, fervent prayer for obtaining relief in any exigence into which the hand of his Providence might bring them, so far as would be consistent with his infinite rectitude, wisdom and goodness. Hence their aptness to make almost every event of life a foundation of prayer or praise, both in private and in public. And hence, too, a wonderful minuteness in

the devotional exercises of the sanctuary in this place, on the occasion I am speaking of.

The prayer then offered by Mr. Carter, as mentioned above, differed not materially from such as we are accustomed to hear from orthodox pulpits at the present day, in its general acknowledgments of dependence, guilt and spiritual necessity, and in the leading spiritual mercies which it implored. But when he came to present the various special cases and circumstances of his people at the throne of grace, he became minute and particular, far beyond what is now commonly witnessed. Here he grew very fervent in spirit; and from the fulness of his heart, showed great fulness as well as plainness of speech. His mouth was filled with arguments; and he seemed hardly to know when he had said enough, and where to make a stop. He spread all the wants, all the trials and temptations and prevailing sins of his people before the Lord. Scarcely anything could be conceived having a bearing upon their present or future well-being, but he made it a matter of supplication to the Most High. And while he fervently deprecated the Divine judgments, he earnestly implored for his people all manner of blessings, both spiritual and temporal; or, as he quaintly termed them, "blessings of the upper, and blessings of the nether springs." He praised the Lord for granting to his people of this place a favorable seed-time the present spring thus far; and besought him to perfect his mercy in this kind toward them; to give them due measures of sunshine and of the rain of heaven in due time; to suffer no blight or mildew, locust or caterpillar to blast their expectations; but to bless the springing of the earth, to cause their grass to grow, and their land to yield its increase, and to give them their corn, and their flax, and the wine of their orchards in their season. He made devout acknowledgments of God's hand in certain melancholy casualties, and in all the signal occurrences, whether of sorrow or of joy, which had taken place in the town the week preceding; and prayed that God would sanctify to all concerned the visitations of his providence, whether in judgment or mercy. He presented with special minuteness of description the thanksgivings and the requests of



those, who had expressly desired particular mention in the prayers of the sanctuary that day. He besought God to accept the thank-offerings of all those, whom he was permitting, after long restraint by sickness, to visit that day with recovered health the courts of his house once more; of his handmaids to whom he had recently granted safe deliverance in childbirth; and of his servants, whom, in their distant journeys by land or by sea, he had protected from enemies and from the perils of the great deep, had prospered them in the way they went, and had now restored them in peace to their homes and families again; and to vouchsafe to all and to each of them a deep and abiding sense of their obligations to the Divine favor; that so they might glorify him in the lives which he had preserved, and with the mercies which he had bestowed. Finally, he prayed the great Lord of Life, that he would sanctify all bereavements by death in this place to those who had lately been afflicted therewith, and had now expressly implored in the assembly of his people support, consolation and grace from above: that he would spread the everlasting arm beneath all who were sick; make their bed in their sickness; abate the violence of their respective diseases, allay the fever in their veins, make whole the bones that were broken; send healing mercy to them all; and above all, if the sickness of any of them who had asked the prayers of the congregation that day was unto death, that he would give them grace to be prepared for the solemn change that awaited them; that so they might meet it in peace, sustained with the blessed hope of pardon and acceptance with Him through the Divine Redeemer, and of eternal life and felicity beyond the grave.

The prayer was followed by singing the 15th Psalm from the same obsolete version as at the first singing.

Then came the sermon by Mr. Fox. While he was announcing his text, there was a most profound stillness. But, immediately after, I heard a slight rustling noise from different quarters of the house; and looking round to discover the cause, I spied the deacons, selectmen and others, who seemed to carry for that day the pens of ready writers, preparing to take down the texts and

prominent heads of the discourse. This reminded me, it might be well for me to do the same; and I now copy from the entries then made in my note-book as follows:

The text was 2 Tim. ii: 19. "And let every one that nameth the name of Christ depart from iniquity." After observing that by those who name the name of Christ must here be understood, those who professedly believe in Christ, the preacher went on to deduce from these words of the Inspired Apostle the following doctrine: viz, "That it is the duty of all that profess themselves to be Christians to depart from iniquity." This important doctrine was then explained and made intelligible to the lowest capacities by answers to three pertinent questions, was confirmed by several Scriptural and convincing reasons, and applied to the spiritual benefit of his hearers by a single use for information, which was still further enlarged upon, under four distinct considerations. The questions, by way of explication, were, briefly, 1, "What is meant by iniquity?" 2, "What is meant by departing from iniquity?" 3, "Why is it so, that every one that names the name of Christ must depart from iniquity?" Among the seven "reasons," in confirmation of the doctrine deduced from the text, and implied in the last question, were briefly, 1, "Because God is a holy God, and of purer eyes than to behold iniquity." 2, "Because the Lord Jesus Christ himself is holy, and therefore will not suffer any to live in the profession of his name, and not depart from iniquity." 5, "Because Christians are called with a holy calling." 6, "Because of the great dishonor and reproach that sin casts upon the Lord Jesus Christ." 7, "Because it is the will of God that those that name the name of Christ depart from iniquity." The use "for information" was, "Hence learn the folly of those that make a profession of the name of Christ, and (depart not) from iniquity." "Let such consider, 1, 'that they have not as yet taken one true step towards a true reformation;' 2, "that neither their persons nor services are accepted before God;" 3, "that it is a bold and daring presumption to name the name of Christ, and not to depart from iniquity." From all which considerations, the preacher deduced one more by way of "conclusion," viz: "Whoever are found under a profession of the name of Christ, and depart not from iniquity, Christ will one day not think them worthy to be named among professors. They shall not be found to be sealed ones, that day."

<sup>44</sup>Such is a brief specimen of the mode in which one of the earliest pastors of this church used to feed the flock of Christ committed to his charge. The spiritual food ministered by him on this occasion was plain food, served up in a homely, and, as some may think, in too precise and starched a style. Still it was wholesome food, the pure milk of the Word, and adapted, with the Divine blessing, to nourish the souls of his flock unto eternal life. The *doctrine* inferred from the text, and inculcated in this discourse, was sound and important; the *reasons* advanced in support of it were clear and sufficient; the *use* or application ever seasonable; and if there were any of his hearers who were not profited by it, the fault was not the preacher's, but their own.

Sermon being over, a short prayer by the preacher for the blessing of God on his Word dispensed, and a solemn benediction, closed the services of the forenoon.

In the afternoon, they were commenced with singing a portion of the 148th Psalm, H. M., to the tune expressly adapted to that Psalm, and thence called the "Old 148th." In the prayer by Mr. Fox which followed, was observed the same particularity of enumeration, and minuteness of description of the mercies implored, as that by which the prayer of the morning was distinguished. After reverend, adoring acknowledgments of the Divine perfections and works, love and mercy to the children of men, and after a more minute confession of prevailing sins (especially among his own people) than is now common, and earnest supplications for pardon and spiritual healing through the grace of God in Christ, he commended anew the special cases and wants of his people, and the interests of Zion among them, to Him that heareth prayer. And then, giving his thoughts a wider range than Mr. Carter had extended his in the morning, so as to take in all the proper subjects of prayer which his senior colleague had omitted, he began to offer earnest intercessions for his country, for all mankind, for the church of God throughout the world. He prayed that the inhabitants of New

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<sup>44</sup> See skeleton of a discourse by Rev. Jabez Fox, delivered at Cambridge, July 1678, in Alden's Collection of Epitaphs, Vol. I., No. 236, p. 225.



England, especially of the Bay, might never forget the errand upon which their fathers crossed the ocean to this then dreary wilderness, that so they might enjoy the ordinances of God in their purity, and gather churches according to his Word: that they might still pursue the design and work which their progenitors had begun, still adhere to the Holy Scriptures in doctrine, worship and practice, neither adding to nor taking aught from the Divine requirements therein laid down, either by word or example: that so New England might continue New England, and that the Lord God might still condescend to dwell among them, and defend them, and multiply them, and build them up, as he had hitherto, forevermore. He thanked God for the endeavors of the Synod of the Elders and Messengers of these churches, lately convened in the city of our solemnities,<sup>45</sup> with a view to the reformation of those manifest declensions and crying sins, for which, it was to be feared, God had a controversy with the people of this land; and earnestly prayed, that the means and measures which the Synod had recommended for promoting reformation, and averting the Divine displeasure, might be prospered and blessed. And to this end, he earnestly besought of God, that he would pour out his Spirit, and rain down righteousness upon the whole Colony (especially upon this town of Woburn): that so this and all the churches of our land might awake from their slumbers, return to their first love, and do their first works; that godly discipline according to their Scriptural Platform might be kept up in them, the truth of the gospel be maintained in them, holiness and peace abound: that ministers might cry aloud, and spare not to show the people their transgressions, and the house of Jacob their sins; that our honored Magistrates might diligently attend the execution of the salutary laws and orders of the Government for the suppression and punishment of profaneness, Sabbath breaking, drunkenness, oppression, and all manner of wickedness and vice; and be themselves examples of piety and virtue: that the religion of the gospel might revive in power and purity among all ranks and

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<sup>45</sup> Synod assembled in Boston, 1679, 1680.



conditions of men: that so God might lift on us once more the light of his countenance: that righteousness might dwell in our land; that mercy and truth might here meet together, righteousness and peace kiss each other.

He prayed for God's direction and blessing upon our honored Governor, Deputy Governor and the Magistrates of this jurisdiction; that he would at all times aid and prosper them in all their consultations and measures for preserving unimpaired the then threatened liberties of the country. He praised the Lord for inclining the Great and General Court of this Colony in their recent session to countenance the proceedings of the late Synod, by ordering the Confession of Faith drawn up by it, together with the Platform of Discipline agreed upon in 1648, to be printed "for the benefit of these Churches, in present and after Times;" <sup>46</sup> and prayed, that as Moses and Aaron kissed each other in the Mount of God, so the Lord would direct and dispose our civil and our spiritual fathers always to act in concert with each other in all designs for the reformation of the people, and the furtherance of the common welfare. And now, extending his views to the mother country, (or, as our ancestors were accustomed to call it, their home,) he prayed God to preserve and bless our dread Sovereign Lord, King Charles; that he would effectually incline him to remove from his presence all Popish and maliciously affected counsellors, who were laboring for the destruction of these his Majesty's Colonies by suggesting to his royal ear false and malicious insinuations against them; that he would move his princely heart to favor his poor but loyal subjects in these goings down of the sun, and to bestow on them his promised protection; and that so his Majesty ruling in righteousness and mercy, God would clothe all his adversaries with shame; but cause upon him and his royal house the crown of these kingdoms to flourish, so long as the sun and the moon shall endure. He implored too the Divine benediction upon the High Court of Parliament, the Legislature of the realm of England; that by their laws, and by all their proceedings and measures,

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<sup>46</sup> Resolve of Court, May 19, 1680.

they might not only maintain justice, mercy and truth at home, but also approve themselves the zealous and successful defenders of British rights and liberties, and of their common Protestant religion in all lands where the dominion of Britain was acknowledged, and over which its sceptre was swayed. And finally, he earnestly besought the Lord that he would protect and deliver his persecuted churches and people throughout the world; that he would hasten the end of all idolatry, superstition and imposture; restrain the violence and defeat the crafty counsels of the man of sin and his abettors; that he would everywhere extend the triumphs of the cross, and give efficacy to the word of his grace, and speed the accomplishment of the blessed time foretold in his lively oracles, when Babylon should fall to rise no more; when the kingdoms of this world should become the kingdoms of our God and of his Christ.

After prayer, succeeded the second singing, which was followed by a sermon from Mr. Carter. But this was not a written, but, in considerable measure at least, an extempore discourse, founded upon the same text that was treated of in the morning. As then, Mr. Fox displayed to all, especially to the members of his church, their obligations to depart from all iniquity; so now, Mr. Carter enforced those obligations. In a kind, affectionate exhortation, he earnestly charged all his hearers, especially professors of religion, to forsake all sin, to practise holiness of heart and life: thus happily illustrating the distinction anciently made by our ancestors between the teacher and the pastor of a church; assigning to the former officer the explanation and defence of the truth; to the latter, the enforcement of it upon the conscience and the heart.<sup>47</sup>

When the good man had ceased from this labor of love, Deacon Wright arose and said, "Brethren, if any one among you have a word of exhortation to offer, let him say on." All eyes, I perceived, were instantly turned toward me; and I felt myself constrained, in a manner, to get up, and, after making my respects to the ministers, to address the people briefly as follows:

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<sup>47</sup> See Cambridge Platform, Chap. VI., § 5.

My Christian friends : you conclude, I presume, from the singularity of my dress, that I am a stranger in this region ; and indeed, I am a stranger, come from a land of many days journey hence. And yet it sometimes seems, as if I were acquainted here : for there's a surprising resemblance in many respects between your country and mine. The climate is the very same. The natural scenery of both places is almost exactly alike. Your town bears the same name as one next to that I live in, when at home. The names of Charles River, Shawshin River, Horn Pond, and other waters, so common I find among you, are also perfectly familiar to me. Nay, your own names, which have been oft repeated in my hearing to-day, are the very same as those most prevalent in the town just referred to, and within whose ancient limits I myself dwell. In view of all these circumstances, I have at times to-day been almost forced into the conclusion, that I have been travelling ever since I left home in a circle ; and now that I have come round again to the place I started from, some great alterations in the fashions of our dress, which have occurred in the interval of my absence, prevent me and my old friends and neighbors from recognizing one another. And yet, on the other hand, this supposition seems at once rendered inadmissible by the striking differences, which are everywhere apparent between your Woburn, and the Woburn in my vicinity. Here, in the midst of your village, I see no academy, as I do there, seated like a city on a hill which cannot be hid. Here the dwelling-houses are comparatively few, and scattered and unadorned ; there the houses in the principal village are very numerous, and many of them, large and elegant to look to. Here, I see but one house of public worship ; and hear of but one denomination of worshippers ; there, in the centre alone, there are at least three or four meeting-houses, appropriated to the use of Christians of as many different names. So that considering these and other points of difference, I am driven to the conclusion after all, that I stand now in a very different Woburn from that I have been long acquainted with. And yet it is a satisfaction to find, that great as the interval is between us, we still worship the same God, acknowledge the same Saviour, and profess to take the same Holy Scriptures for our guide, both in faith and practice. Let us all then only adhere to that Sacred Rule, and live up to, and act out our profession of submission and obedience to it, and both you and I and the people I dwell among, cannot fail of being finally happy together forever.

Brethren, it has been highly gratifying, and I hope will be lastingly profitable to me, to have spent this holy Sabbath with you. I have been edified, I trust, by the prayers in which I have joined with you. I have been edified by the dispensation of God's Word in this his house; by the plain and forcible exposition of truth and duty therefrom, to which we all have had opportunity of listening to-day; and certainly, if our hearts are right with God, we none of us can miss of being benefited by what we have heard. Particularly have I been pleased with your singing. It has forcibly brought back to mind the days of my childhood and youth, when I was accustomed to hear sung, from Sabbath to Sabbath, by the congregation generally, the very same or the like simple tunes that I have heard to-day; though then by fewer voices, and sometimes with the aid of an organ, which I am aware you abhor, or at least much dislike. Concerning those days, I well remember what feelings of awe and devout reverence the sight and hearing of my elders, and of my elders' elders, all singing the high praises of God, though with unequal time and occasionally with somewhat discordant voices, used to excite in my breast. Of late, I have but seldom had an opportunity of hearing the songs of Zion sung after this sort. Hence, I have enjoyed listening to them to-day, as a feast, and I regret that it may be long before I am gratified in the same way again. But you, my friends, who are favored with this privilege every Sabbath, do prize it highly, I trust, and will not lightly give it up. And that you may long retain it, beware of multiplying the tunes to be sung. By adhering constantly to the use of a few plain, substantial tunes, which are easily learnt, you are all capable, in one degree or other, of sounding forth the praises of the God of Heaven.

Do not render then this delightful duty impossible to a large majority of your fellow-worshippers (as I have known it done in my own country), by the introduction of a multitude of new and difficult tunes, or by changing singing books once a year. And should your present aversion to instrumental music ever give way (as I doubt not it eventually will), and should you begin to use the harp, the viol and the organ in the worship of the sanctuary, let no one, capable of singing, be willing on this account to excuse himself from the duty, and shift it off upon a few paid individuals, with their instruments, in the gallery. For if singing the praises of Jehovah be a duty to any, it is to all who have a voice and an ear, and any tolerable skill to sing in concert with others. A



select choir may be a great help in singing. Still its members cannot be supposed capable of doing the work of praise for others, so well as others, who have any ear for sacred music, can do it for themselves. Excuse, I pray you, the freedom of these remarks by a stranger, proceeding, as I trust they do, from a disinterested desire for your good. A few improvements I might here suggest in your present mode of singing; but I forbear. For in changing there is always risk, I am sensible, of doing harm instead of good; and I fear, that in attempting to make *good* in some measure *better*, I should, as often happens in other cases, mar or spoil the whole.

Brethren, I must repeat the high satisfaction I have taken in the services of this sanctuary this day. The only deficiency I have felt worth mentioning is, the omission to read the Holy Scriptures without comment; an exercise that is common in my own country, and one, it seems to me, that has a Divine warrant for it, and is both profitable in itself, and in accordance with the practice of the church in every age. But I will add no more on this point; assured that your own good sense and pious regard to the will of God, will eventually lead you, on reflection, to correct the error, if it be one. As to all other things, I can with truth express my entire approbation. As I have sat here this day, and attended to the several exercises of Divine worship, and witnessed the propriety and fervor and engagedness with which they have all been performed, I have been ready to exclaim, as did Jacob of old, "How dreadful is this place! this is none other but the house of God, and this is the gate of heaven!" May you ever find it to be so, by your own happy experience! And so may every house of worship that your posterity may hereafter erect in this place, prove to them and their children! I rejoice in seeing you do so much as you do, to teach the rising generation the truths and duties of the Gospel of Christ, and to lead them, both by precept and example, to prize the institutions of God's worship.

In particular, I was glad to perceive in the intermission that you are in the habit of catechising your children, — a good old custom, warranted by Scripture authority, and recommended by early Christian usage, but now (I regret to own it) much neglected in my own land! But there seems to be no need of exhorting you, brethren, to see that it be not neglected among you. I am confident that you will keep up the practice with the same diligence that it was transmitted to you by your fathers; and that you will enjoin upon your children likewise to do so hereafter, for the benefit of those

who shall arise after them. You will charge them, whatever other means and methods of instruction they call in to their aid for the religious education of their children, on no account to let this be overlooked or slightly performed; that they will never leave it entirely even to their ministers, much less to other friends of less knowledge and experience than they; that they will keep the matter in their own hands, though they admit others to share in the labor of it with them; and discharge it faithfully according to the light and skill and experience which God severally gives them; and then the result, through the Divine blessing, they may reasonably hope will be, that there shall ever be a generation in this place who shall be taught of God to acknowledge, love and serve him, and whom he will own and build up and rejoice in,—a people for his praise.

Dear Christian friends, this is the first time I was ever with you, and it will, doubtless, be the last. I must presently leave you, and we shall meet no more on this side the grave. But sure I am that, if I am ever prepared myself through grace for a part in the resurrection of the just, I shall meet many, very many, of this congregation again at the right hand of the Son of Man; and shall be admitted to praise and rejoice with you in that better temple above, whence there is no more going out, and where we shall dwell forever with the Lord. The Lord grant that we may all of us find mercy of the Lord in that day! and till then I bid you, one and all, *a cordial farewell*.

Upon my saying these words, which were heard with attention, and were apparently welcome, Mr. Carter offered a short prayer, in which he implored a blessing upon the services of the day, and upon the words uttered by their unknown friend according to God's Word: and then, with singing four stanzas of the 119th Psalm, long metre, to the tune of "Hundredth," and with a Scripture benediction by Mr. Carter, the public worship for that day was ended. As for me, as soon as I could conveniently after leaving the house, I took the conveyance by which I came, and was instantly transported over the current of one hundred and eighty years and upwards, from Hilly Way, in Woburn, in his Majesty's Colony of Massachusetts Bay, in New England, to my own quiet home, near Vine Brook, and within the ancient bounds of the Second Precinct of Woburn, Massachusetts, one of the Independent United States of America.

## CHAPTER IV.

Philip's War. — Persons murdered by Indians in Woburn during that War. — Small-Pox in Woburn, 1678. — Arbitrary proceedings of Sir Edmund Andros in Woburn, 1687-88. — Death of Rev. Thomas Carter. — Medford Bridge. — Death of Rev. Mr. Fox.

SHORTLY after the second meeting-house in Woburn was finished (the building, accommodations and weekly worship of which form a prominent subject of the Chapter foregoing), broke out that scourge of New England, Philip's War. It is so called from Philip, the Indian chief, who was its principal instigator. It began in Plymouth Colony, June 24, 1675, and quickly extending itself into Massachusetts, it spread its horrors and devastations in every direction, and seemed to threaten at times the utter ruin of the country.

In this destructive contest, Woburn was not assaulted by the enemy in great numbers at any one time. Nor was it burnt, pillaged and laid waste, either totally or in part, as Marlboro', Sudbury and Groton in the same county were. Still, it was not exempt from a large share of the common burdens and sufferings of that gloomy period.

Its proportion of the public taxes, necessary to sustain the warfare undertaken, was oppressive in the extreme. In 1674, the Colony tax for Woburn was but a trifle over £30.<sup>1</sup> But within fourteen months from the commencement of hostilities to the death of Philip, which occurred August 12, 1676, and which was virtually the conclusion of the war called by his name,<sup>2</sup> no less

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<sup>1</sup> Town Records, Vol. I., pp. 55, 56.

<sup>2</sup> But war with the Eastern Indians, however, continued many years after. It was distinguished as King William's War, and cost much treasure and many lives to bring it to an end. In the course of it, the following instance occurred, in which Woburn people were involved. On the 6th of July, 1690, as two companies of English were scouting, under Captains Floyd and Wiswall, they came upon a party of Indians at Wheelwright's Pond in Lee, N. H. A bloody engagement ensued, in which Capt. Wiswall, his Lieutenant, Gershom Flagg, of Woburn, Sergeant Edward Walker, a son of the elder Dea. Samuel Walker, of Woburn, and twelve others, were killed and several wounded. — *Belknap's New Hampshire*, in one volume, p. 134.

than twenty single rates were ordered by the Court to be levied for the prosecution of the contest on the part of the Colonists, viz: three rates at their Session, July 9, 1675; seven, October 13, 1675, and ten, May 3, 1676.<sup>3</sup> But burdensome as these large and quickly repeated demands by the Legislature were, for money to carry on the war in which the country was involved, the inhabitants of Woburn, from patriotic motives, appear to have submitted to them all, without murmuring or complaint, and to have made ample and timely provision for answering them.

On the "23: 6 mo:" (23 August) 1675, the Selectmen met with the commissioner, and assessed "a rate for the Country"; and in giving it, on the 4th of the month following, to the constables to collect, they ordered them to gather it of every inhabitant "twice over," thus making it equivalent to two single rates. They also directed them to "demand of the old troopers two shillings and a penny upon each rate, as the Court hath ordered";<sup>4</sup> and likewise "to demand and gather of every person one fourth part of a single rate, for to provide ammunition with for a Town's stock; and to demand of every old trooper sixpence farthing more than what is set down in the said rate."<sup>5</sup>

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<sup>3</sup> Colony Records, Vol. V., pp. 45, 55, 56, 81.

<sup>4</sup> At their session in July 1675, the Court passed the following resolve:

"Whereas the troopers and their trooping horses are wont to be exempted in ordinary country rates, it is heereby declared, that they are not to be freed in the rates granted by this Court for the defraying the charge of the present expedition against the Indians." <sup>a</sup> In the foregoing order of the selectmen, by "old troopers" are meant those who belonged to some troop before the present war began, in distinction from new troopers, who had enlisted since, and of whom, at one time, there were twelve.<sup>b</sup> There were, at this period, five troops of horse within the jurisdiction of Massachusetts, viz: the Suffolk troop, the Essex troop, the Middlesex troop, the Norfolk troop (belonging to the northerly part of Essex County), and the "Three County troop," comprehending all who had enlisted from "the county of Dover and Portsmouth," from the settlements "in and near York, called Yorkshire, and from the settlements upon and near the Kennebeck, erected, 1674, into a county by the name of Devonshire."<sup>c</sup> Troopers from Woburn were attached to the Middlesex troop, commanded by Capt. Thomas Prentice, of Cambridge Village, now Newton.<sup>c</sup>

<sup>a</sup> Colony Records, Vol. V., p. 45.

<sup>b</sup> Town Records, Vol. I., p. 64.

<sup>c</sup> Colony Records, Vol. V., pp. 73, 295.

<sup>d</sup> Town Records, Vol. I., pp. 64, 65, 66, 67, 68, 69.



The amount of the rate thus assessed, and given to the collectors to gather "twice over," added to what was demanded of "fower ould troopers," for their persons and horses, was

£60:19:10

do. of the quarter rate for ammunition 7:06:11

On the 23: of the 9 mo. (23d Nov.) 1675, the selectmen met and levied a rate on the inhabitants "for the charge of the Indian warr," amounting to £120:00:00

On the 18:11 mo. 1675, (18th Jan. 1675-6,) the selectmen met again, and "ordered another Rate for the Indian warr," amounting to - - - £119:01:06

These last two assessments doubtless answered to the seven single rates called for by order of the court, Oct. 13th, 1675, and also to the third of the three single rates ordered July 9, 1675, but which, it seems, had not yet been assessed.<sup>5</sup>

On the 14: 4 mo. (14th June) 1676, the selectmen, to satisfy the ten single rates ordered in May of that year, levied what is called in the records, "a Warr Rate," being a single rate ten times doubled, amounting to - - - - - £325:17:6

Sum total - - - - - £633:05:9

Of this sum, about £100, as nearly as can be ascertained, was reserved for the payment of town debts and expenses, such as schooling, support of poor, county tax, etc., etc. — (See *Records*.) - - - 100:0:0

£533:05:9

The balance was paid to the Colony Treasurer, or to others, with his knowledge and allowance, towards defraying the expenses of the war.<sup>5</sup>

To afford some ease to the people in the payment of such heavy taxes, at a period of great scarcity of money, they were allowed by the court to pay them in various necessary commodities, and especially in grain, viz: in wheat at six shillings, rye

<sup>5</sup> Town Records, Vol. I., pp. 65, 66, 68.

at four shillings and sixpence, barley and pease at four shillings, Indian corn at three shillings and sixpence, oats at two shillings, per bushel; provided these articles were delivered to the treasurer without cost to the country. To encourage, however, the payment of taxes in silver, the court ordered an abatement of one-fourth part to such as paid in money.<sup>6</sup>

1675. "Paid in to the Treasurer by John Richison, Constable, by shoose and barly - - - - - £8:11:6."

1675. "Paid by Jonathan Tomson [Constable] in oats and otherways - - - - - 1:5:8." <sup>7</sup>

In settling for taxes during this war, an allowance was made for what were called "debentors"; that is, certificates from some acknowledged authority, of wages due to soldiers for their services. Whenever a constable presented a debentor to the Colony Treasurer, in payment of taxes, he was allowed for it the same as for silver.

"Paid by Jona. Tomson . . . in silver and debentors, the full sum of all advanced - - £67:19:02."

"Paid in to the Treasurer by John Richison, Constable, in silver and debenturs, etc. - - 68:16:03."

"Paid by Joseph Wright in his debentor - - 01:07:07." <sup>7</sup>

As to the quarter rate for ammunition spoken of above, the Records inform how it was disposed of, as follows:

"Paid to the Captaine [John Carter], of the ammunition Rate, the just sum of - - - - £6:02:6

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Capt. Carter paid Mr. Richards for a barell of powder, the sum of	-	-	-	-	£5:0:0
By musket bullets and pistoll bullets	-	-	-	-	0:17:0
By to [two] Runlets to put these bullets in	-	-	-	-	0:1:4
By the porterige and ferridge [ferryage]	-	-	-	-	0:02:0
To Capt. Carter for buying powder	-	-	-	-	0:04:0
For flints by Capt. Carter	-	-	-	-	00:00:11." <sup>8</sup>

<sup>6</sup> Colonial Records, Vol. V., p. 55.

<sup>7</sup> Town Records, Vol. I., p. 64.

<sup>8</sup> Town Records, Vol. II., p. 23.

But the pecuniary cost of this war, incurred by taxation and in other ways, burdensome as it was to the inhabitants of Woburn, was nothing compared with the risk and loss of life which it occasioned many of them, the various and grievous hardships to which it subjected them, and the consternation and terror which it caused to prevail in the midst of them, as well as throughout the Colony, both by day and by night, lest they should be waylaid or suddenly assaulted, their houses burned or plundered, and themselves and families either killed, or captivated and reserved for future torture by their savage foes.

August 2, 1675, an order came from Edward Rawson, Secretary of the Colony to the constable of Woburn, "to impresse five able and sufficient horses, well shod and furnisht with bridles and saddles, fitt for the service of the Country; and bring them to Capt. Davis' <sup>9</sup> house in Boston by eight of the clock in the morning." <sup>10</sup> About December 1st, 1675, when preparations were making for the Narraganset expedition, thirteen soldiers were impressed from Woburn, viz: John Baker, John Baldwin, Peter Bateman, John Berbeane, John Cutler, Thomas Hale, Jeremiah Hood, William Peirce, John Polly, John Preist, John Sheldon, Caleb Simonds and Zechariah Snow. <sup>10</sup> February 24, 1675-6, nine horses more, with suitable equipments, were ordered to be impressed from Woburn. <sup>10</sup> And, March 22d following, Woburn was directed to furnish six draught horses and three men by way of impressment <sup>10</sup> "to carry provisions and ammunition to the garrison at Brookfield." <sup>10</sup>

In addition to the thirteen men, expressly named above, as forced into the war from Woburn by impressment, this town appears from its Records, from the Records of Hon. John Hull, Esq., Treasurer of the Colony in 1676, <sup>11</sup> and from other reliable authorities, to have furnished for the war forty-five others, who voluntarily enlisted in the service, or who were drafted for it by lot, viz: John Bateman, Isaac Brooks, John Brooks, William

<sup>9</sup> William Davis, Capt. of the Suffolk troop of horse, who died shortly after.

<sup>10</sup> Letters of Rev. Joseph B. Felt, from the State archives.

<sup>11</sup> A folio, once in possession of Nathaniel G. Snelling, Esq., Boston, but now, it is understood, in the rooms of the Historical and Genealogical Society.

Butters, Jacob Chamberlin, Moses Cleaveland, Jr., Samuel Cleveland, Josiah Clopton (or Cloyson), John Coddington, Jonathan Crisp, Paul Fletcher, William Green, John Kendall, Benoni McDonald, John Moloony, Richard Nevers, Abraham Parker,<sup>11</sup> Thomas Parker, Joseph Peirce, Thomas Peirce, Jr., William Reed, Samuel Read, John Richardson, Joseph Richardson, Nathaniel Richardson, Samuel Richardson, David Roberts, John Seirs, Benjamin Simonds, James Simonds, Joseph Simonds, Robert Simpson, Eliah Tottingham, John Walker, George Wilkinson, Joseph Waters [or Wallis], John Wilson, Jr., Increase Winn, Joseph Winn, John Wyman, Jr., Francis Wyman, Jr., and Joseph Wright. To these may be added three other soldiers in that war, named by the Treasurer, viz: William Dean, Thomas "Hincer" (Henshaw), and Benjamin Wilson, who may be confidently presumed to have been the three well known citizens of Woburn answering to those names respectively.

Of the fifty-eight persons above expressly named, as enlisted from Woburn in Philip's War, it may be remarked of fourteen of them, viz: of Peter and John Bateman, Chamberlin, Clopton, Coddington, Crisp, Fletcher, Hood, the two Parkers, Roberts, Simpson, Wallis, and Wilkinson, that they were probably not citizens of Woburn at the commencement of the war, but servants, or hired laborers from abroad, who were persuaded to enlist for this town in the service of the country. Simpson was apparently a Scotchman, one of those who, for espousing the cause of Charles II., were sent over to this country by Cromwell to be sold, after he had defeated them at the battle of Dunbar, 1650, or of Worcester, 1651; and, being a tanner by trade, was bought by Lieut. John Wyman, tanner, of Woburn, "on purpose for the management of his tan yard." Mr. Wyman, his master (having had his son slain in the fight at Narraganset) petitioned the General Court, May 16, 1676, that his servant,

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<sup>11</sup> An Abraham Parker, according to the Records, was married in Woburn, in 1644, and had children. A son, Abraham, was born to him, March 8, 1650, but died Oct. 20, 1651. No mention is made subsequently of the father in the records, nor is his name on the tax lists of 1666, 1672, 1674, '75, '76, whence it is inferred that he had removed from the town.



Simpson, then a garrison soldier at Hadley, and needing clothes, might be released and come home, that "so his lether now in the fatts may not be spoyled."<sup>10</sup> Of the other thirteen, Peter Bateman, originally from Concord,<sup>11</sup> died at Woburn, Feb. 13, 1675-6, not improbably of sickness contracted at Narraganset the December before. Chamberlin, Coddington, Crisp, Fletcher, Hood, Abraham and Thomas Parker, do not appear to have returned to Woburn to remain there after the war was over. John Bateman (a brother, perhaps, of Peter: See *Savage's Genealogical Dict.*) came back, married, and reared up a family in Woburn. Clopson, also Roberts, Wallis, and Wilkinson returned, and were taxed here after the war had ended; Wilkinson died in the place, a pauper, 1683; and Roberts married and had a family in Woburn, lived much respected in the place, and died as late as 1724.

The other forty-four soldiers in Philip's War from Woburn, named above, were all citizens of the town, or the minor sons of citizens, when the war began; were most of them here born and brought up; descendants of a majority of them, are still remembered, or yet live in the place, and they constituted almost a third part of all the male ratable persons in the town in 1675, who were then in number only 140.<sup>12</sup>

December 19, 1675, was fought that memorable battle between the English and the Indians, called the Swamp Fight, or Narraganset Fort Fight, from the circumstance of its being fought at a fort in the midst of a swamp in the Narraganset country, within the present bounds of South Kingston, Rhode Island. As all the soldiers impressed about the first of that month from Woburn, and also a considerable proportion of the others enlisted in the war from the same place, appear to have taken part in that bloody engagement, a brief account of it here may not be amiss.

The Commissioners of the United Colonies of New England (viz., Massachusetts, Plymouth and Connecticut) having determined, in November 1675, to undertake an expedition in the

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<sup>11</sup> *Savage's Genealogical Dictionary.*

<sup>12</sup> *Woburn Town Records, Vol. I., pp. 62, 63.*

midst of winter into the enemy's country, they ordered a thousand men to be raised for this service with all possible despatch. Of this army, Massachusetts furnished 527 men, viz, six companies of foot, containing 465 men, under the command of Major Appleton, and Captains Mosely, Gardener, Davenport, Oliver and Johnson, and a troop of horse led by Capt. Prentice. Plymouth found 158 men, in two companies under Major Bradford and Capt. Gorham. Connecticut's quota was originally set at 315 men, but she sent, eventually, into the field 300 English, and 150 Mohegan and Pequot Indians, distributed into five companies commanded by Major Treat, and by Captains Seely, Gallop, Mason, Watts and Marshall. The whole army, now amounting to 1,135 men, English and friendly Indians, was commanded by Major Josiah Winslow, Governor of the Colony of Plymouth. The Massachusetts forces marched from Boston, Dec. 8th, and from Dedham, Dec. 9th, and were joined by those of Plymouth soon after, and by those of Connecticut, Dec. 18th, about evening. After spending that night, which was cold and stormy, in the open air, they moved on at break of day, Dec. 19th, wading through the snow, fourteen or fifteen miles, "without either fire to warm them, or respite to take any food, save what they could chew in their march."

At one o'clock, P. M., they arrived at the edge of the swamp, the place of their enemy's retreat, whither they were conducted by Peter, a disaffected Indian, who told them that here "they should find Indians enough before night." In the midst of this swamp, which was large, the Indians had made, upon a rising ground of five or six acres, a fort, or an enclosure of palisades, surrounded by a hedge of about a rod in thickness. The only way by which our forces could venture to attempt an entrance into it, with any chance of safety and success, was over a long tree elevated four or five feet from the ground; and even this had a log house erected over against it, in which many Indians were stationed, ready to defend the passage against all who should approach it. By this passage, the Massachusetts men, who were in advance of the rest upon entering the swamp, made a bold effort to throw themselves into the fort: but two of their

captains, Johnson and Davenport, were instantly shot down mortally wounded; the former upon the tree, the latter upon getting within the palisades. And here commenced a long and sharp conflict between the English and Indians. For a considerable time, the former were obstinately resisted by the Indians, who fought with a desperate resolution against their assailants, as they attempted an entrance into their fort, or when they had succeeded in throwing themselves into it. But nothing could daunt the English, or repress the ardor of their attack. As fast as one company was driven back, another stood ready to take its place, and to renew its efforts. At length, while the main body of the Connecticut forces (who had been stationed in the rear) were strenuously fighting their way over the tree and before the block house, into the fort, another party passed unobserved to the rear of the fort; and there finding a vacancy in the palisades, they clambered over the high and thick hedge, and, rushing along through the opening, "they poured a heavy and well directed fire upon the back of the enemy." And now the Indians, attacked both in front and rear, were gradually compelled to give up resistance, and by one way or another to make their escape from the fort. In the mean while, the English fired their wigwams, in which were collected not only their stores of corn for their subsistence during the winter, but also many of their old men, women and children: and then, having completed this work of destruction, they commenced at dusk marching to their head-quarters fifteen or sixteen miles off, taking with them their wounded, and the greater part of their dead.

But who can describe the horrors of that night! The groans of the dying warriors, as they lay thickly strewed on the ground in the fort; the hideous yells of those who escaped, enraged at their defeat, and at the loss of all that was dear to them; the heart-rending shrieks of old men, women and children perishing in the flames of about six hundred wigwams: all concurred to render the scene inexpressibly shocking, and deeply affected, it is said, the hearts of some of the victors themselves. The loss of the Indians by this battle has been differently estimated.

According to the confession of one eminent among them, who was afterwards taken in Rhode Island, and put to death in Boston, there fell that day seven hundred warriors; and three hundred were wounded, who subsequently, the most of them, died of their wounds. "It was supposed," saith Rev. Dr. Trumbull, concerning the Indians, — "It was supposed that three hundred warriors were slain, besides many wounded, who afterwards died of their wounds and with the cold. Nearly the same number were taken, with three hundred women and children. From the number of wigwams in the fort, it is probable that the whole number of the Indians was nearly four thousand. Those who were not killed in battle, or did not perish in the flames, fled to a cedar swamp, where they spent the night without food, fire or covering." Of the English, "six brave captains fell in the action, and eighty men were killed or mortally wounded. A hundred and fifty men were wounded, who afterwards recovered." Many of the wounded died in consequence of their sufferings from the cold, and from the hardships they endured in their long fatiguing march the night after the battle. "The cold was extreme," saith Dr. Trumbull, "and the snow fell so deep that night, that it was difficult the next day for the army to move. Many of the soldiers were frozen, and their limbs exceedingly swollen. Four hundred were disabled and unfit for duty."<sup>13</sup> Of those returned after the battle from the several companies as dead or wounded, the following six belonged to Woburn, viz :

"Of Major Samuel Appleton's company, Illia Thathane (or, as the name doubtless should have been recorded, Eliah Tottingham) " wounded and left at Rhode Island, January 6, 1675-6.

"Of Capt. Nathanael Davenport's company, Caleb Simonds, Zechariah Snow and John Baker, wounded.

"Of Capt. Prentice's troop, John Wyman, jr., [son of Lieut. John Wyman] slain, and Nathanael Richardson, wounded."<sup>10</sup>

Beside these six officially returned, as dead or wounded,, belonging to Woburn, may be named Francis Wyman, Jr., son

<sup>13</sup> Trumbull's Connecticut, Vol. I., Book 1, Chap. xiv., pp. 337-40. See also Hutchinson's Massachusetts, Vol. I., pp. 298-301. Hubbard's Indian Wars, pp. 100-112.



of Francis, tanner, of Woburn; and Peter Bateman. They were both soldiers in Philip's war from Woburn; the former apparently by voluntary enlistment, the latter by impressment, about Dec. 1st, when preparations were making for the Narraganset expedition; they both appear to have fought in the Fort fight; and they both died shortly after, Bateman 13 Feb., and Wyman 26 April, 1676, not improbably from wounds received, or sickness contracted, in that memorable battle.

But the six soldiers from Woburn, officially returned as killed or wounded at the Fort fight in Narraganset, were not all of its inhabitants whose blood was shed in Philip's war. The town was visited the following spring by two or three of their savage enemies upon a work of death, which they but too successfully accomplished. In the afternoon of April 10, 1676, as Mr. Samuel Richardson, who lived upon what has been recently called the Miller Farm in Richardson's Row, was employed in carting manure into his field, accompanied by his son Samuel, a boy between five and six years of age, he was surprised in looking toward his house, to see feathers flying about it, and other tokens of mischief within. Apprehending that Indians might be there, he hastened home, and there found two of his family murdered, viz: his wife, Mrs. Hannah Richardson, who had been lately confined; and his son Thomas, twin brother to him who had been with him in the field. Upon further search, it was ascertained, that the infant also, a daughter named Hannah, had been killed by the same ruthless hands. The nurse, it appeared, had snatched it up in her arms, upon the alarm of danger, and hurried away to a garrison house in the vicinity for protection. But so closely was she pursued by the enemy, that finding she could not save herself and the babe too, she let the babe drop, and the Indians despatched it upon coming up. Mr. Richardson now rallied some of his neighbors, who went with him in pursuit of the enemy. After following them some time, they espied three Indians sitting together on a rock, and discharged their muskets at them. The Indians instantly fled to a piece of woods hard by; and it being near night, their pursuers fearing that they themselves might be waylaid by them, or decoyed into

danger, desisted from following them, and returned home. Upon going afterwards to the place where the Indians entered the woods, they discovered blood on their track; and upon further search, they found an Indian buried under the leaves, who was doubtless one of the three, who had been fired upon by Mr. Richardson and company, and who, being mortally wounded, had died upon the spot where found, and had been buried there by his associates.

To this period, too, may be assigned another occurrence of the same melancholy character with the foregoing, which took place in the opposite quarter of the town. Hubbard, in the Preface to his "Narrative of the Indian Wars," edited in 1677 (as quoted by Drake in his "Biography and History of the Indians of North America"), observes, "a murder was committed at Farmington, another at Woburn, by some Indians in their drunken humors upon a maid Servant or two, who denied them drink." The murder here referred to by Hubbard, apparently as perpetrated a little before Philip's War, was not improbably the same as one committed in the West part of Woburn, now Burlington, the story of which has been transmitted there by creditable, uninterrupted tradition from time immemorial. This story, which differs in some circumstances from that of the Reverend historian just named, is briefly as follows. On a certain Sabbath, an Indian concealed himself in a hop house, the kiln of which is still pointed out, about a mile from Burlington meeting-house, on the road to Bedford, between the house belonging to the Poor Farm, and that of Miss Ruth Wilson. When he supposed the neighbors generally had gone to meeting, he came out from his lurking place, and went to the house, which stood on the spot where Miss Wilson's now is. Upon entering, he asked for cider of a young woman who had been left at home. In compliance with his request, she went to the cellar to draw some; but upon her return, he knocked her in the head with his tomahawk. The cellar door was dashed with her blood, which was never wiped off; and when the house came to be taken down, about 1760, to make way for the erection of the present one on its site, this blood-stained door was

removed, as it was, to the barn; and when the barn was afterwards taken down, to make room for a new one in its stead, the door was transferred to another barn in the vicinity; and thus continued to be exhibited in these several places for many years, as a memorial of this instance of savage cruelty.

The period of this war of Philip was one of the darkest, if not the most so, in the history of New England. The thinness of the English settlements in the country at that time, and the thorough acquaintance with their dwellings, fields, roads, and all their common places and times of resort, which the Indians possessed, gave the latter numberless opportunities for attacking them unawares to advantage, which they were not slow to perceive or improve. They were enabled hereby, as Rev. Dr. Trumbull strikingly observes, "not only in small skulking parties, but in great bodies, to make their approaches undiscovered, almost into the very midst of them; and under cover of the night, to creep into their barns, gardens and outhouses; to conceal themselves behind their fences, and lie in wait for them on the roads and in their fields. Sometimes they concealed themselves before their very doors. No sooner did they open them in the morning, than they were instantly shot dead. From almost every quarter, they were ready to rise upon them. At midnight, in the morning, or whenever they could obtain an advantage, they were ready to attack them. While the English were hunting them in one place, they would be slaying the inhabitants and plundering and burning in another." . . . And thus they "kept the whole country in continual fear and alarm. There was no safety to man, woman, nor child; to him who went out, nor to him who came in. Whether they were asleep or awake, whether they journeyed, laboured or worshipped, they were in continual jeopardy."<sup>14</sup> But happily, this dreadful state of consternation and dismay did not last long. After April 1676, the affairs of Philip rapidly declined; and his death, August 12th, of that year, put a stop to the war which he had been the chief instrument of exciting, about fourteen months from its commencement. Within

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<sup>14</sup> Trumbull's Connecticut, Vol. I., Chap. xiv., p. 333.

this short period, according to a statement in Trumbull's History of Connecticut,<sup>15</sup> "About 600 of the inhabitants of New England, the greatest part of whom were the flower and strength of the country, either fell in battle, or were murdered by the enemy." . . . "Twelve or thirteen towns in Massachusetts, Plymouth Colony and Rhode Island, were utterly destroyed, and others greatly damaged. About 600 buildings, chiefly dwelling houses, were consumed with fire." And even this estimate, the reverend historian just named considers, with reason, as falling short of the truth.

Scarcely was this town delivered from the common burdens, sufferings and terrors of this Indian war, than it was visited by another grievous calamity, (as it was then considered, and really was,) the small-pox. This loathsome distemper, which our ancestors were wont to regard with most painful apprehensions, whenever it appeared among them, before inoculation for it was introduced, was brought at this time into the country by a ship infected with it, which arrived at Nantasket, July 10, 1677.<sup>16</sup> Eight hundred persons in the whole are supposed to have fallen victims to it in different places at this visitation.<sup>16</sup> "*Multitudes*" died of it in Boston in 1678. In Charlestown, among other valuable citizens to whom it proved fatal, was the elder Rev. Mr. Thomas Shepard, one of the most talented and excellent ministers of that town, who caught the disorder from a parishioner whom he ventured to visit on his death-bed, and died of it shortly after himself, December 22, 1677. From Charlestown or Boston, it seems to have gradually spread to Woburn. A number here were sick of it at the close of 1678, which led the selectmen, alarmed by the danger in which it involved all the inhabitants, to pass at a meeting of theirs, January 6, 1678-9, the following order :

"Whereas the hand of God is stretched out against many of the Inhabitants of this Towne in the disease of the small pocks, for the prevention of the spreading of the said disease, it is ordered by the Selectmen of this towne of Woburne, that from this time

<sup>15</sup> Trumbull's Connecticut, Vol. I., Chap. xiv., p. 350.

<sup>16</sup> "1677, July 10, the Ship infected with the Small Pox (whereof more than 800 died, came to Nantasket." — *Diary of Rev. Peter Hobart, Hingham.*



forward all and every person that hath been infected with the said disease, shall not goe forth to the Meeting hows or to their neighbours howses before eight weeks are accomplished after they are first taken, or into the streets, or near any person, so as to infect them, and then to have leave from the Selectmen to come forth ; also all watchers and tenders with the persons aforesaid are, when they come to the meeting hows, to sit in such seats as are from time to time appointed for that end ; and, when meeting is done, to goe forth first, and hasten awaye, and not mix with the assembly : and that there be care had in the hanging out bedding, or cloathes, or throwing out excrements or any other thing, so as may tend to the spreading of the said disease : and that all persons that have not had this disease come not at those howses or persons infected, unless it be those in the same family : and that all visitors be careful in chainging their apparel when they come to the meeting hows : and all persons transgressing this Order, being legally convicted before the Selectmen, shall paye to the use of the Towne twenty shillings for each offence.”<sup>17</sup>

But, notwithstanding all the precautions taken by the fathers of the town for preventing the spread of this dreaded disorder, it continued apparently to prevail here, more or less, as late as May 1679. For at a meeting of the Selectmen on the 5th of that month, Eliah Tottingham was fined twenty shillings for a breach of the above Order respecting it.<sup>17</sup> From a memorandum in the Day Book of the Selectmen, (i. e. Town Records, Vol. II.,) it appears that twenty-seven persons in all were sick of it in Woburn at that time, viz: Isaac Brooks, three of his children, and John Cutler, Senr., then a resident in his family; Gershom Flagg; James Thompson and a daughter; three of goodman Houlten's [Holden's?] daughters; goodwife Gilson; David Wyman; Zechariah Convers' wife and child; Edward Farmer, Isabel Farmer; Matthew Johnson and daughter; Salah Adford; Craggen's daughter; Ephraim Buck's wife; Jacob Farrar; Thomas Peirce; George Reed; goodwife Richardson. Of these, four died of the disease, viz: John Cutler, Senr., in the family of Isaac Brooks; Jacob Farrar; David Wyman, and goodwife Convers.<sup>18</sup>

<sup>17</sup> Town Records, Vol. II., pp. 112, 120.

<sup>18</sup> Town Records, inverted, Vol. II., p. 163.

September 5, 1684, died Rev. Mr. Thomas Carter, first pastor of the church in Woburn, in the 74th year of his age,<sup>19</sup> and 42d of his ministry. He was born in England, and educated in St. John's College, at the University of Cambridge, where he received the degree of Bachelor of Arts, 1629, and of Master of Arts, 1633.<sup>20</sup> He came to this country, "a young man," and while yet a student in divinity, in 1635:<sup>20</sup> and may reasonably be supposed to be the Thomas Carter, who (according to a publication of Hon. James Savage, entitled *Gleanings for New England "History"*) was allowed, April 2d of the same year, at the age of twenty-five, to embark with forty others at London, on board the *Planter*, Capt. Nicholas Travece, bound to New England.<sup>21</sup> This Thomas Carter, it is true, is described in the Register of his permission, as being a servant of Mr. George Giddins, a husbandman, on board the same ship. But then such were the difficulties experienced at that day by men of education and influence, in obtaining liberty to emigrate from England to this country, in consequence of orders from the government, that many were tempted in one way or other to elude those orders, especially by concealing their proper business and profession, or giving but an imperfect description of it.<sup>21</sup> And it is some confirmation of this conjecture, that the age of the emigrant in the *Planter* above stated exactly agrees with the age assigned to Rev. Mr. Carter at his death. On his arrival in this country, Mr. Carter was admitted an inhabitant of Dedham shortly after its incorporation in September 1636.<sup>22</sup> From Dedham, he removed to Watertown, where he united himself with the church at that place; and where he was employed in some service by the church or town to good acceptance. For, when he was first invited to preach at Woburn, Nov. 3, 1641, it is mentioned as a reason for his not being applied to sooner, that it had been doubted whether Watertown would be willing to part with him.<sup>23</sup> He preached for the first time in this place, December 4, 1641; and was ordained, November 22, 1642.<sup>23</sup>

<sup>19</sup> Woburn Records, Mr. Boutelle.

<sup>21</sup> Savage's *Gleanings*, pp. 253, 254, 272, 273.

<sup>22</sup> Genealogical Dictionary.

<sup>20</sup> Savage's *Gleanings*, pp. 246-248.

Savage's *Genealogical Dictionary*.

<sup>23</sup> Town Records, Vol. I., pp. 4, 5.

At his ordination, the town presented him with a house, which they had built for his use, on the spot where the house known as the Coolidge or Silvanus Woods' house now stands.<sup>23</sup> They also engaged to give him a salary of £80 annually, one fourth of which was to be in silver, the remainder in various necessities of life, at the current price: a compensation, which was enlarged in 1674 by the grant of twenty cords of wood annually, to be delivered at his door. From the time of his ordination, he ministered constantly to this people without aid thirty-six years, till Rev. Mr. Jabez Fox was invited to assist him; and from that time, in connection with Mr. Fox, about six years more, till his death.

Mr. Carter appears to have lived secluded in great measure from the world; and hence he is seldom if ever named in history among the eminent clergymen of his day. Still, there is abundant evidence, that he was a very pious, exemplary man, an able and sound preacher of the gospel, and one whom God honored and prospered in his work. Under his ministrations, the church was greatly enlarged and built up, and the town flourished, and was for the most part, in peace. Capt. Edward Johnson, one of the principal founders both of the church and of the town, speaks of him in his "Wonder-working Providence" (published in 1654) as a "reverend, godly man, apt to teach the sound and wholesome truths of Christ"; and one who had "much encreased with the encreasings of Christ Jesus."<sup>24</sup> And in the following lines addressed by him in the same work to Mr. Carter, he is represented as a plain, but very faithful and successful minister; a pastor of distinguished humility and meekness, and in gentleness towards his flock, as rather exceeding than otherwise.

" Carter, Christ hath his wayes thee taught, and thou  
Hast not withheld his Word, but unto all  
With's word of power dost cause stout souls to bow,  
And meek as lambs before thy Christ to fall:  
The antient truths, plain paths, they fit thee best,  
Thy humble heart all haughty acts puts by;  
The lowly heart, Christ learns his lovely hest,  
Thy meekness shews thy Christ to thee is nigh.

<sup>24</sup> Wonder-working Providence, Book II., Chap. xxii., pp. 175-181.

Yet must thou shew, Christ makes his bold to be  
 As lions, that none may his truths tread down;  
 Pastoral power he hath invested thee  
 With, it maintain, leest he on thee do frown.  
 Thy youth thou hast in this New England spent,  
 Full sixteen years to water, plant and prune  
 Trees taken up, and for that end here sent;  
 Thy end's with Christ; with's saints his praises tune." <sup>24</sup>

What the last sickness of this venerable divine was, the Records do not specify. But two charges in the bill for his funeral expenses, presented to the Selectmen, October 6, 1684, give reason to conjecture, that it was some short and violent disease, perhaps a putrid fever. That bill was as follows:

*"Charges on Mr Thomas Carter's funerall in 1684.*

By fourteene gallons of wine at 3 <sup>s</sup> :6 <sup>d</sup> per	
gallon . . . . .	£2.09:00
For tarr, two shillings . . . . .	0:02:00
For gloves . . . . .	1:16:00
For his coffin, money . . . . .	0:06:00
For his graue, in pay . . . . .	0:05:00
For manchester, 6 yards, and a jarr for tarr	0:01:06

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£4: 19: 06." <sup>25</sup>

At a General Meeting of the inhabitants, October 6, 1684, the same day on which the above bill of funeral expenses was presented to the Selectmen, they voted and agreed unanimously that there should be half a rate made for defraying it and other "Town's debts." They also generously agreed that Mr. Carter's rate for his salary should "be compleated and payd for this yeare as formerly." <sup>25</sup>

By his wife, Mrs. Mary (Dalton) Carter, whom he married before his settlement in Woburn, and who died March 28, 1687, Mr. Carter had eight children, viz: Samuel, Judith, Theophilus, Mary, Abigail, Deborah, Timothy and Thomas. Theophilus and Deborah died young, before their father; Samuel, usually styled in the Town Records, Mr. Samuel Carter, was born August 8, 1640;



had a liberal education, was a graduate at Harvard College, 1660, was admitted an inhabitant and a proprietor of the common lands by vote of the town, 4th Jan. 1665-6;<sup>26</sup> sustained at different times several responsible offices in the town, as Selectman, Town Clerk and "Commissioner of the Rate," and was repeatedly employed there as an instructor of youth. By his wife, Eunice [Brooks], whom he married 1672, he had eight children, and died 1693.

Judith married Samuel, son of Deacon Edward Convers, June 8, [alias October 14,] 1660,<sup>27</sup> and secondly, Giles Fifield, May 2, 1672, and died 1676. Mary, born July 24, 1648, married John Wyman, Jr., son of Mr. John Wyman of Woburn, about 1671, and he being killed by the Indians at the Swamp Fight, December 19, 1675, she next married Nathaniel Bachiler of Hampton, N. H., October 31, 1676, by whom she had eight children, and died 1688.<sup>28</sup> Abigail, born January 10, 1649-50, married May 7, 1674, John Smith, and died prior to 1684. Timothy was born June 12, 1653, married Anna Fisk, daughter of David Fisk of Cambridge [Lexington] May 3, 1680, and died July 8, 1727.<sup>28</sup> Thomas was born June 8, 1655, married, 1682, Margery Whitmore, daughter of Francis Whitmore of Cambridge, who died October 5, 1734.<sup>28</sup> Timothy and Thomas Carter were both husbandmen, and proprietors, in their father's right, of several considerable tracts of land in Woburn. Timothy was the father of thirteen children, of whom three died before their parents; and the descendants of Thomas, who had a family of six children, are still numerous in Wilmington, and in that part of Burlington adjoining, which is known by the name of Carter Row.

The same year in which Rev. Mr. Carter died, 1684, the Charter of the Massachusetts Colony, which had long been threatened, was vacated in England; and with their Charter, the people had taken from them, not long after, the invaluable privilege of choosing their own rulers. In December, 1686, Sir Edmund Andros arrived at Boston, as Governor of Massachu-

<sup>26</sup> Town Records, Vol. I., p. 31. <sup>27</sup> Town Records. Savage's Genealogical Dictionary.

<sup>28</sup> Town Records of Marriages, Births, etc., etc. Savage's Genealogical Dictionary. Letter of Thomas B. Wyman, Esq.

setts, by commission from King James II.: a fit servant of a Popish and arbitrary master. Of this Governor, it has been observed, that "Nero concealed his tyrannical disposition more years than Sir Edmund and his creatures did months." He promised fairly at first: but very soon exerted the great power intrusted to him, for ruling as he pleased. He and a few of his Council (appointed also by the King) who resided in or near Boston, passed what laws and raised what taxes they saw fit, without check from any assembly of representatives of the people. They declared the titles to the lands granted under the former Government to be of no validity, under the pretence that the Charter had been vacated, and likewise that those grants had been made without the Colony Seal; and they required the people, if they would enjoy their possessions unmolested, to come to them, and take out new patents for them, at an extravagant price. And when some ventured to complain of oppression, they were insolently told by one of the Council, "that they must not think the privileges of Englishmen would follow them to the end of the world."

This tyrannical government was suddenly put down, in an unpremeditated insurrection of the people, in April 1689. Previously, however, the people had in general been submissive to its measures, because resistance appeared to them both presumptuous and vain. And yet, in some places, murmurs of disapprobation and uneasiness would at times arise, and a disposition to oppose would occasionally manifest itself. The Selectmen of Ipswich, for instance, voted to "petition the King for liberty of an assembly before they [made] any rates"; for which daring act, they were fined and imprisoned. Samuel Appleton, Esq., of the same town, and Rev. John Wise, one of its ministers, were imprisoned for a like offence.

Woburn, too, repeatedly resented the privation of some of its ancient liberties, which it suffered by this government. A law had been passed by Sir Edmund and his Council forbidding town meetings to be held at any time or for any purpose whatever, except once a year for the choice of town officers; and even for this single meeting in any year for this one purpose, it

was required, it seems, that it should be called, not by the Selectmen of any town, but by warrant from certain Justices of the County in which the town was located, or by direct authority from the government. But the people of Woburn could not brook this encroachment upon a privilege which they had enjoyed under the old charter from the beginning. Their meeting, for the choice of town officers for 1687, was convened February 22d, the last Tuesday of that month, their long accustomed day for this business, when they chose for Selectmen, William Johnson, Esq. (well known for his warm attachment to the old charter), Francis Kendall, Samuel Walker, William Lock, and Increase Winn. But, within a fortnight, this election was annulled; and the inhabitants were directed to meet, March 7th, for a new choice, by a warrant from Capt. Jonathan Wade, of Medford, Capt. John Brown, of Reading and Lieut. William Symmes, of Medford, three Justices of the Peace for the County of Middlesex, when they chose again the same persons for Selectmen that had been elected in February.<sup>29</sup> No other town meeting is on record for that year. But the next year, to show their continued aversion to the existing law respecting the calling of town meetings, they again ventured to meet on the day they had been used to, February 28th, and re-elected the old Board of Selectmen. But again their proceedings were nullified for being made at a meeting illegally convened; and the people were required, by "Order of the Governour and Council," to assemble anew for the choice of town officers, May 21, 1688. Accordingly, in obedience to authority, they met again on the day appointed; when William Johnson, Esq., was either purposely dropped from the office of Selectman, and from that of Town Clerk, (which he had holden uniformly since the death of his father, in 1672,) from fear of the resentment of the governor and his creatures; or else, being chosen, he declined accepting; being unwilling to occupy a public

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<sup>29</sup> Town Records, Vol. III., p. 121. The name of William Johnson is not mentioned with the others, in the record of the choice of Selectmen, Feb. 22, 1686-7; but he subscribed his name as Selectman with the others to a record of Feb. 6, 1687-8, (Town Records, Vol. III., p. 116,) before the next choice of town officers, Feb. 28, 1687-8, wherein he is expressly named as chosen one of the Selectmen.

station during the existence of a government that had showed itself so arbitrary, and so hostile to the liberties of the people.

In 1694, the town was thrown into a state of violent agitation, in consequence of a summons to answer before the County Court the presentment of Mistick or Medford Bridge. In 1648, the General Court had passed an Order, laying the expense of making and repairing bridges, upon the towns within whose limits they were.<sup>30</sup> But this Order was repealed in 1655.<sup>31</sup> And, subsequently, for a series of years, it became an established custom to assess the repairs of Medford Bridge not on the town of Medford alone, nor on the whole county of Middlesex, but jointly upon the towns of Charlestown, Woburn, Reading, Malden and Medford; even as the great bridge over Concord river at Billerica was wont to be maintained at the united expense of Billerica, Chelmsford and Groton. Woburn, however, had long been growing weary of the incumbrance. As early as October 8, 1672, the town directed the Selectmen to address the General Court by their deputies, or by petition, for granting them "some ease of their burden at Mistick Bridge;" and also authorized them to make an agreement with the other towns united in the support of it, if they saw fit, with the understanding, "that if there come to be County Bridges," their agreement to this end should be void.<sup>32</sup> But no relief was obtained of the General Court, and, apparently, no agreement with the other towns, in pursuance of this vote. The repairs of the bridge being neglected, it was presented in 1675, and from that time Woburn quietly did its part towards keeping it in passable order till 1690. October 16th, of that year, the Selectmen of Woburn, Reading and Malden, met in this town, and agreed to petition the General Court concerning Mistick Bridge.<sup>33</sup> The result of this petition appears to have been the appointment by the Court of a committee to confer with committees of the above named towns, and then, a reference of the whole subject to the County Court for settlement. But the result of this conference is not known. In 1691, the several towns above named were cited to

<sup>30</sup> Colony Records, Vol. II., p. 263.

<sup>32</sup> Town Records, Vol. I., p. 37.

<sup>31</sup> Colony Records, Vol. IV., Part 1, p. 231.

<sup>33</sup> Town Records, Vol. III., p. 39.



appear before the County Court, to answer a presentment of the bridge in question. And now the Selectmen of Woburn held a meeting in May 1691, with those of Reading and Malden, to consult with one another how they should conduct their defence.<sup>34</sup> They also chose Sergeant Matthew Johnson to appear before the Court on behalf of Woburn,<sup>34</sup> and appointed a committee of three to measure, previously to the Sessions, all the bridges in the country highways in town, with a view, doubtless, to exhibit to the Court a statement of the cost they were liable to, for maintaining bridges within their own bounds.<sup>35</sup> And, to crown all, the inhabitants at a General Meeting, December 7, 1691, voted as follows: "That the Selectmen of said towne [of Woburn] should withstand the said town's allowing anything more to the repairing of Mistick Bridge; and if they withstand it in law, that the town shall bear all the charge thereof."<sup>36</sup>

In consequence of this bold resolution, nothing seems to have been done by the town for the support of the bridge at Medford for two years. But it did not clear them of their responsibility in this matter. December 22, 1693, the Selectmen received a summons from the Clerk of the Court of Quarter Sessions to send men before said Court on the 26th of that month, "to answer the presentment of Mystick Bridge." In obedience to this citation, Samuel Blogget, one of the Selectmen, and James Convers 2d (afterwards known as Major James Convers), appeared before the Court on the given day, and made answer, "that Woobourne was not concerned in the presentment of Mistick Bridge; neither would they do anything in order to the repairing thereof, except by Law they were forced thereto; and that they referred themselves to the law in that case; and so left the case for that time."<sup>37</sup> But this resolute stand was easier taken than kept. For, immediately after, came a new citation from the clerk of the sessions, ordering the Selectmen or others on behalf of Woburn to appear before the Court at their

<sup>34</sup> Town Records, Vol. III., p. 149.

<sup>35</sup> "Town Dr. to Mr Carter [Samuel] the 4th. month 1691 for a daye's work taking a Survey of all the Bridges £0:02:10." Town Records, Vol. III., p. 149. Charges for the same service on the same page, by Matthew Johnson and Thomas Peirce.

<sup>36</sup> Town Records, Vol. III., p. 154.

<sup>37</sup> Town Records, Vol. IV., p.

adjournment, January 23, 1693-4, and then "to make returne to said Court of the repairing of Mistick Bridge, on the penalty of five pounds fine to their Majesties for the town's default in that matter." <sup>38</sup> The receipt of this summons threw the whole town into a ferment. The Selectmen immediately called a meeting of the town, January 10, 1693-4, at which they made known to them the above order of Court. Whereupon "the Inhabitants of Woobourne joyntly declared, that what they had formerly done towards the repairing of Mistick Bridge, was only an act of Charity to help Medford when they were low and poore, and to help *those men* that had engaged themselves to help reparaire the same; and now Medford was much increased both in number and in estate, and those gentlemen that had formerly engaged themselves as aforesaid being all dead, now therefore the said Inhabitants once more voted with a joynt concurrence, that as by law they were not engaged to help repair Mistick Bridge, so they would do nothing to the same; and furthermore, that they may shew their obedience to authority, the Inhabitants aforesaid nominated and chose Lt. Matthew Johnson and James Convers 2d, both of Woburn aforesaid, to appear for them on the 23d inst. before the said Honored Court at their said adjournment, and make this answer as abovesaid. And further that the said town of Woburn refer themselves to the law in such cases had and provided in this their Majesties Province: also the said Inhabitants do hereby impower the said Matthew Johnson and James Convers to defend the said town in a course of law, either by review, appeal, or any other lawful way or means whatsoever, against the repairing or maintaining of any part of Mistick Bridge, against any who shall demand the same: hereby promising to reimburse all the charges and expenses that they or either of them shall necessarily be at, in and about the premises, granting and allowing unto the said Johnson and Convers full power and authority to appoint and constitute Attorneys one or more under them, and at pleasure to revoke; giving unto the said Johnson and Convers full power to say, execute and do in and about the same whatever is necessary in law; hereby

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<sup>38</sup> Town Records, Vol. IV., pp. 5, 6.

promising to ratify and confirm all and whatsoever the said Matthew Johnson and James Convers or their attorneys shall lawfully do or cause to be done in and about the premises and dependances thereof.

“Per order of the Inhabitants of Woburn,

“JAMES CONVERS, Town Clerk.”<sup>38</sup>

Thus armed with power and authority from the town, one of its two agents, James Convers, repaired by advice to Boston, and feed a couple of lawyers aforehand, “for fear” (as he expresses it), “of being intercepted”; and both of them appeared before the Court at its adjournment, January 23d, and made defence, as follows: “That Woburn was not presented [presentable?] upon account of Mistick Bridge, nor were they culpable as criminals upon that account. If Medford could plead anything of a Covenant, that was a Civil case, and not a criminal; and they might have their action against us in the Common Law: but at this Court, and in this way, we were not obliged to make any further answer, but to refer ourselves to the law, ‘that bridges were to be mended in those towns in whose precincts they lie,’ and so left it with the Court; and the Court considered thereof, and gave us the following determination.

“Middlesex, ss: At the Generall Quarter Sessions of the Peace, holden at Charlestown, Jan<sup>y</sup> 23d, 1693–4 ffrom the 20th of December 1693, by their Majesties Justices:

“Whereas there was an Order of the General Court in the year 1691 referring the settlement of Mistick Bridge to y<sup>e</sup> County Court of Middlesex, and the said Court ordering the repairing of said bridge to be by the respective townes of Charlestowne, Woobourne, Malden, Redding and Medford, according to their wonted manner, till the Generall Court make further provision; and the defects of said bridge having been presented to this Court before the late law respecting Bridges; this Court order that the said respective townes do forthwith make sufficient repaire of the said defects of said Bridge, upon paine and penalty of fve pounds fine to their Majesties for the respective defaults of each of the said townes, and then to make returne of their doings therein to the next

General Sessions of the peace for Middlesex; and then for the future it shall be left to the determination of the Law."

"Vera Copia Exam<sup>d</sup> per Samuëll Phipps, Cler." <sup>39</sup>

With this decision of the Court, Woburn thought it prudent to comply. "Whereupon," adds the Town Clerk, immediately under his copy of the decision just referred to: "Whereupon the said Bridge was sufficiently mended by Josyah Convers sworne surveyor, and return made as abovesaid and recorded."<sup>39</sup> No doubt, one inducement with the people for thus doing, contrary to their previous resolutions, was the expectation that this was the last time they should ever be called on to repair Mistick Bridge. This expectation was founded on the closing sentence of the decision of the Court, that the repairing of this bridge should in future "be left to the determination of the Law": which they thought would clearly free them and the other towns above named, except Medford, from the burden in question. But in this idea, they soon found themselves mistaken. The law referred to was passed by the Provincial Legislature in 1693, and is entitled "An Act for Highways." Among its numerous provisions is one for the annual choice of two or more Freeholders in each town, who should "take care that all Highways, Private Ways, Causeys and Bridges lying within the Precincts of such Town, be kept in repair, and amended from time to time, when and so often as shall be needful, at the charge of such Town (where it is not otherwise settled)," etc., etc.<sup>40</sup>

"*Where it is not otherwise settled.*" Of this exceptive clause in the law, advantage seems to have been afterwards taken, to defeat the expectations of Woburn, of being freed from all obligation to aid in the repairs of Mistick bridge. It was doubtless insisted upon by Medford, with the countenance of the Court, that it had been so long *settled* by custom, that Woburn should join with Charlestown and the other towns concerned in helping Medford to keep that bridge in repair, that the law referred to did not now release them from

<sup>39</sup> Town Records, Vol. IV., p. 6.

<sup>40</sup> Colony and Provincial Laws of Massachusetts Bay, pp. 267-8.



it, and they must still do as they had done. Hence, after the above decision of the County Court, in 1694, Woburn was called upon year after year, again and again, to mend the bridge at Medford, though out of its own limits; again and again it demurred, and passed resolutions against complying; and yet eventually complied:<sup>41</sup> so that nearly seventy years more elapsed, before it was fully released from a burden so long complained of. But, in 1761, an agreement was entered into between Woburn and Medford, by which the long vexed question of Medford bridge was fully put to rest. At a general meeting in Woburn, July 21, 1760, it was voted, "that the Committee chosen at the annual meeting in March last past to manage the affair concerning the Great Bridge at Medford, are hereby directed and impowered to agree with the town of Medford about said Bridge for a certain sum, that so the town of Woburn may be finally discharged from any future charge relative to said Bridge."<sup>42</sup> To this proposal for settlement, Medford showed itself willing to assent. For at a town meeting there, May 13, 1761, six of its citizens were chosen as a committee "to treat with Woburn, Reading and Malden, or either of said towns separate, concerning Medford Great Bridge; that is, to take a certain sum of money of said Town or Towns, and acquit any of them that shall comply, from all further charge."<sup>43</sup> After this manifestation on the part of Medford of its readiness to compromise its difficulty with Woburn in the way of Woburn's own proposing, the committees of the two towns met to confer with one another on this subject, and came to a mutual agreement. This agreement was ratified by Woburn in town meeting, June 25, 1761, when its inhabitants voted "that they would give the sum of two hundred

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<sup>41</sup> Viz, in 1702. — (Town Records, Vol. IV., p. 204.) In 1706. — (Town Records, Vol. V., pp. 24, 28.) In 1711, Aug. 20th, "The Selectmen of Woobourn were warned to appear at the Quarter Sessions of the Peace . . . to answer the Presentment of Mistick Bridge. Accordingly, the Selectmen appointed Stephen Richardson to procure Stuff and mend Said Bridge, which he did," etc., etc. — (Town Records, Vol. V., p. 196.) At a general meeting, March 3, 1728-9, chose Mr. Daniel Peirce and Mr. Caleb Blogget, as a Committee to go to the General Court with a Petition that they may be "eased of the burden of Mistick Bridge, or to have liberty of a Landing Place at the River," etc., etc. — (Town Records, Vol. VI., p. 369.) See also Proceedings of the Town at a general meeting, Jan. 23, 1744-5, (Town Records, Vol. VII., p. 462,) and May 19, 1760, (Town Records, Vol. VIII., p. 291.)

<sup>42</sup> Town Records, Vol. VIII., pp. 294, 315.

<sup>43</sup> Town Records, Vol. VIII., p. 466.

pounds, Old Tenor, or equivalent in Lawful Money" (the amount agreed upon by their committee), "to the town of Medford."<sup>42</sup> And thus this controversy of nearly a century's standing was brought to a peaceable issue, as stated in the following attested copy of Medford's agreement :

*"Agreement of Medford about y<sup>e</sup> Bridge.*

"Know all men by these Presents, that we Samuel Brooks Esq<sup>r</sup>. Stephen Hall Esq<sup>r</sup>. Zachariah Poole Gentleman, Simon Tufts Gentleman, Seth Blogget Gentleman, and Benjamin Parker Gentleman, being chosen and impowered by the Town of Medford to agree with the Town of Woburn about Medford Bridge, we being all of the Town of Medford in the County of Middlesex and Province of the Massachusetts Bay in New England, DO agree that for and in consideration of the sum of Twenty six pounds thirteen shillings and four pence of Lawful Money paid by the Town of Woburn before the ensealing hereof, do hereby acquit and discharge the said Town of Woburn from all past and future charges arising by reason of said Bridge, and do, in our said capacity take upon the town of Medford all the charge and care of said Bridge, which the Town of Woburn was bound to do or ever shall be: In Witness whereof we in our said capacity have hereunto sett our hands and seals this seventh day of July annoque Domini one thousand seven hundred and sixty one, and in the first year of his Majesty's Reign.

"Signed, Sealed and Delivered	STEPHEN HALL	[L. s.]
in the Presence of us	Z. POOLE	[L. s.]
WILLIS HALL	SIMON TUFTS	[L. s.]
AARON HALL	BENJ <sup>n</sup> PARKER	[L. s.] "

43

An amusing specimen of the town's watchful attention to its minute as well its weighty interests and concerns in former times, occurs in the Records of 1696. At a General Meeting, June 24th of that year, after citing several delinquents in the payment of Rev. Mr. Fox's salary to appear before the Selectmen on the following Monday at the house of James Fowle, "public notice was likewise given to all persons concerned, that have incroached upon the Town's Common and Highways by fencing in yards or the like without Order," that

they also appear before the Selectmen at the same time and place, "to agree with the said Selectmen about their severall trespasses, or else some other measures will be speedily taken to redress the same."<sup>44</sup> From the sharp threatening at the close of this warning, uttered in open town meeting, and apparently with the consent and approbation of all the people present, it might naturally be inferred that some grievous trespass upon town property had been committed. What was it, then, and who were the trespassers? Had some covetous householders rendered half of Upstreet impossible to be passed with safety by making large, unauthorized enclosures? Had certain unprincipled wood-dealers presumptuously invaded and fenced in some twenty acres of the town's woodland in Wood Hill? Or had some greedy landholder inclosed, and appropriated to his own use a goodly portion of the Town Common in the plains of Goshen? Oh, no; nothing of the kind. The sum of the encroachments complained of was this. The Rev. Jabez Fox, their minister, and two other highly respectable citizens, Thomas Peirce, Senr., and Daniel Baldwin, happened to be fond of tobacco; and taking a notion to raise enough themselves for their own smoking and chewing, they had each ventured to fence in some unsightly nook or bend in the highway near their respective premises, where the soil was peculiarly favorable for the growth of the noxious weed, and had there set out plants of it, which were now thriving like so many skunk cabbages, promising them a luxuriant harvest. But, in accordance with the warning now given them, backed by such plain threats of a civil prosecution, they all three, like good citizens, came before their Honors, the Selectmen, at the time and place appointed, to make satisfaction for their wrong-doing. And there, having received some gentle reprimand for their unauthorized converting of public into private property for the time, they were let off from any further censure or punishment, and had leave to enjoy "the improvement of those severall bitts of land" for that summer, on condition of agreeing to pay the Selectmen a penny each for the use of the

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<sup>44</sup> Town Records, Vol. IV., pp. 72, 73.

town, and throwing open their enclosures to the highway by the next "Michaelmas."<sup>44</sup> And so far at least as relates to the money they promised to pay for the town's use, there is evidence upon Record that they were as good as their word. For in the Town Accounts for that year, James Convers, Jr., the Town Clerk, is made Dr. to the town

"For money paid for quittrent for three tobacco  
yards per Mr ffox, Clark Peirce & Sargt  
Baldwin . . . . . £00:00:03<sup>d</sup>." <sup>45</sup>

Rev. Jabez Fox appears to have possessed the confidence and affectionate regard of the great body of the people in Woburn, and to have retained the same through life. And yet the men of the generation he served, were not all so punctual to fulfil their engagements to him as their fathers had been to his predecessor in the ministry. Through the pressure of the times (which were confessedly hard), and especially in consequence of the heavy taxes imposed during the Indian and French wars of that period, a number were constantly behind hand in paying their proportions to his salary, so that, at one time, the arrears due to him were about £70, equivalent nearly to his salary for a year. Various were the expedients resorted to by the Selectmen and by the town to cure this evil, but long without the desired success. One method proposed was, that the Deacons for the time being should reckon with Mr. Fox at the end of every year, and warn all who were found delinquent to make up their arrears within two months after the year had expired, and report them to the Selectmen, if they persisted in their neglect; in which case, the Selectmen were to recover their dues in a legal way. But the Deacons proving but inefficient collectors and duns, the whole burden devolved upon the Selectmen, who summoned the delinquents before them at times, when some, say the Records, "that were behind, were brought up to their proportions" (T. R. IV., p. 27). At a General Meeting, January 18, 1696-7, a committee, consisting of Major William Johnson, Deacons Samuel Walker and James Convers, Jr., was appointed to audit Rev.

<sup>45</sup> Town Records, Vol. IV., p. 62.



Mr. Fox's accounts, and to make report respecting delinquents at the next General Meeting. At the same time, the Selectmen were ordered for the future to furnish Mr. Fox, in November of every year, with a List of every man's proportion to his salary, and at the end of every year to reckon with Mr. Fox, and give a list of rates unpaid to the Constables to collect them. And, moreover, it was voted at the same meeting, that Rev. Mr. Fox's salary should be paid semi-annually; that so if any persons should be about to remove from the town, the Selectmen, by taking care, might "save the one halfe of their rates, if not the whole."<sup>46</sup>

December 6, 1697, the Selectmen met, say the Records, "to look after Mr. Jabez Fox his arrears, and sent writts to some, and messages to others. Severall came up and paid their arrears . . . others warned to appear the 21st courant" etc.<sup>46</sup> Finally, at a General Meeting, March 3, 1698-9, the following Resolve was passed: "The freeholders and other Inhabitants of this Towne of Wobourne having considered and discoursed the difficulty of bringing up some men to their duty, as to their paying their due proportions to the maintenance of the Rev. Mr. Jabez Fox, annually, according to covenant; divers methods having been taken which did not prove effectual, the said Inhabitants declared their minds in the matter, that the most likely way for the collecting the said Mr ffox his sallery, is to make fair lists thereof (as of other rates) of each and every one's due proportion to the same, and affix warrants thereto, and deliver the same to the severall Constables annually, to collect it by distress, of all such as refuse or neglect to pay their respective parts thereof: and for all those persons that pay their respective parts of the said sallery without such distress, they shall pay no part of the Constables' charge for collecting the same, but the whole charge of the said collection, distress or distresses, shall be paid by those persons only, that by their refusal or negligence occasion the same: and this was voted and passed in the affirmative."<sup>47</sup> Accordingly, three days after the General Meeting, March 6, 1698-9, the Selectmen "mett and perfected the lists for the Reverend Mr.

<sup>46</sup> Town Records, Vol. IV., pp. 83, 101.

<sup>47</sup> Town Records, Vol. IV., p. 137.

Jabez ffox his sallery for the year 1698, beginning on the first of November last, and affixed Warrants to the same, and delivered the same to the Constables to collect, as above said" etc.<sup>47</sup> This method seems to have been effectual for the end intended during the remainder of Mr. Fox's life; but still there were large arrears due for the years preceding, which were not collected till after his death. This mournful event took place suddenly, while he was yet in the midst of his days and usefulness. Being at Boston on a visit, he was seized with the small-pox, of which he died there, February 28, 1702-3. A friend of his in Boston thus records his death at the time: "Lord's Day Feb. 28 1702-3. Mr Jabez Fox dies of the Small Pox in the forenoon."<sup>48</sup>

Rev. Mr. Jabez Fox, second pastor of the church of Christ in Woburn, was, according to a family tradition, a lineal descendant of Rev. John Fox, a nonconformist divine in the reign of Queen Elizabeth, and author of the work entitled "Acts and Monuments of the Church"; or, as it is more familiarly known, Fox's Book of Martyrs: a book much read by the Puritan founders of New England, and regarded by them with a reverence and esteem short only of that which they paid to the Bible.

His father, Mr. Thomas Fox, resided first in Concord; and then removing to Cambridge, was one of its Selectmen in 1658, and repeatedly afterwards; and died there April 25, 1693, aged 85. His mother, Mrs. Ellen Fox, previously to her marriage to his father, Mr. Thomas Fox, had been the widow of Mr. Percival Green of Cambridge, a member of the church there, who died Dec. 25, 1639, and by whom she had had two children, John and Elizabeth Green, both baptized in infancy in the church at Cambridge.

Mr. Jabez Fox was born and baptized in Concord, about

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<sup>48</sup> Diary of Judge Sewall.

<sup>48</sup> At a general town meeting, April 5th, 1703, it was generously voted to pay Mrs. Judith Fox, the relict of their late pastor, forty pounds of the annual salary which had been proportioned for her husband the November preceding, but who had died when but about four months of his year had expired. — See *Town Records*, Vol. IV., p. 224.

1647,<sup>49</sup> and was yet in his minority when his father removed from there to Cambridge; was graduated at Harvard College, in 1665, and appears to have studied divinity there. He had commenced preaching, and had married before application was made to him, in 1678, to go to Woburn, and to preach there statedly a year, as an assistant to Rev. Mr. Carter. This invitation was accepted; and so satisfactory were his services, that, before the term of his engagement expired, the town voted him unanimously, July 16, 1679, "a call to the ministry, with an Intent he may be called to office in time, if God make waye";<sup>50</sup> and, November 5th, 1679, they invited him to settle over them for life; and made generous provision for his comfort and support.<sup>50</sup> The church, too, it is presumed, a little previously to the last date, gave him a call to the pastoral office, as he had been encouraged to expect they would. The precise date of his ordination has not been preserved; but may reasonably be assigned to the middle of November, 1679. His salary year was long reckoned as commencing with November 1st. The whole term of his constant service in the gospel ministry in this place was somewhat over twenty-four years; viz: one year as an assistant to Rev. Mr. Carter, and twenty-three years and upwards as settled minister in Woburn, and pastor of this church.

At his decease, in Boston, his remains were brought to Woburn, and there interred in the Old Burial Ground. For many years, it is understood, the stone which marked the place of his interment, was overlooked, or supposed to have been removed. But, during the past summer (1866), a descendant, Jabez Fox, Esq., of Washington, D. C., made a visit to Woburn; and going upon Burial Hill, found the gravestone of his

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<sup>49</sup> It has been supposed by some that Mr. Fox was born in Cambridge. But this hypothesis is disproved by the following extract from a "List of Members in the Church of Cambridge," in the handwriting of Rev. Mr. Jonathan Mitchell, its pastor, which purports to have been "taken and registred in y<sup>e</sup> 11th. month 1658." [January, 1658-9.]

"Thomas ffoxe & Ellen his wife, both in full Comm.

• "His son Jabez ffoxe baptized at Concord, but in minority when his ffather joyned here." — See *Cambridge Church Records*.

<sup>50</sup> Town Records, Vol. I., pp. 98, 101.

ancestor, and took down an exact copy of the inscription upon it, as follows :

Memento	Fugit
Mori :	Hora.

HERE LYES Y<sup>e</sup> BODY OF  
Y<sup>e</sup> REVEREND M<sup>r</sup> JABEZ FOX.  
PASTOUR OF Y<sup>e</sup> CHURCH OF  
CHRIST IN WOBOURN 23 YEARS.  
& AGED 56 YEARS, DECESED  
FEB<sup>r</sup> Y<sup>e</sup> 28<sup>th</sup> 170<sup>3</sup>.

Rev. Mr. Fox's widow, Mrs. Judith Fox, was daughter of the elder Rev. John Reyner, minister of Plymouth and Dover, N. H. After Mr. Fox's death, she married Col. Jonathan Tyng, of Boston, who had been of the Council of Gov. Sir Edmund Andros, and who, coming in his latter days to Woburn to reside, died there suddenly, January 19, 1723-4. The venerable lady, his widow, survived him till June 1736; and the following touching memorial of her excellence is copied from her gravestone :

Here lyes Buried y<sup>e</sup> Body  
of Mrs Judith Tyng, wife  
to Col<sup>l</sup> Jonathan Tyng,  
formerly wife to y<sup>e</sup> Rev<sup>d</sup>  
Mr. Jabez Fox : who Dy'd  
June 5th, Anno Dom<sup>i</sup> 1736,  
in y<sup>e</sup> 99th year of her Age :  
A woman of Most Exemplary Vertue  
& Piety ; Rich in Grace, ripe for Glory.<sup>51</sup>

By this worthy lady, Rev. Jabez Fox had five children; viz :

1. John, born at Cambridge, May 10, 1678, shortly before his father was invited to preach in Woburn, and who afterwards succeeded his father there in the pastoral office.
2. Thomas; born at Woburn July 6, and died July 10, 1680.
3. Thomas; born at Woburn November 13, 1681.
4. Jabez; born December 2, 1684.
5. Judith; born June 19th, 1690, and died the same year.

<sup>51</sup> Jabez Fox, Esq., above mentioned. This inscription, furnished by him, differs considerably from that exhibited in Alden's Epitaphs. Vol. I., No. 237, p. 229.



It is not known that Rev. Mr. Fox ever published any of his writings. A skeleton of a sermon, delivered by him at Cambridge, July 28, 1678, from 2 Tim. ii. 19, and committed to writing by Mr. afterwards Rev. Nathaniel Gookin, pastor of the church in Cambridge, is published in Alden's Collection of American Epitaphs, vol. I., No. 236, pages 226–229, and is presented (a good part of it) in Chapter III. of this work. Another skeleton of a discourse, preached by Rev. Mr. Fox at Cambridge, May 11, 1673, from Eph. v., 16, "Redeeming the time," is found in the voluminous manuscript collections of Hon. John Hull, Esq., and of his son-in-law, Judge Sewall. It was probably taken down on paper at the time of delivery, by the latter gentleman, who was then a resident graduate or tutor at the college in Cambridge; and it is here given, not only as a sample of the instructions addressed to his hearers by the second minister of Woburn, but also as a specimen of the manner in which the ancient divines of New England constructed their discourses for the pulpit.

By Mr. Fox, May 11, 1673.

Ephe. 5:16. Redeem. y<sup>e</sup> time.

2 motives (1) because such are termed wise.

[See v. 15.]

(2) because y<sup>e</sup> dayes are Evil.

"D." [Doctrin.] It is a duty incumbent on, & much for y<sup>e</sup> interest of all (especially in evil times) to redeem y<sup>e</sup> time.

Luke 15. 17. Jonah when his soul fainted, remembered y<sup>e</sup> L. [Lord.] Hester. Ninevites.

Expli. [Explication: by 3 Questions.]

<sup>1</sup> Q. [1Question] When said to be evil dayes?

(1) All y<sup>e</sup> dayes of our lives are evil, both in respect of sinne & the effects of it.

Special. (1) In y<sup>e</sup> day of Jacob's *trouble*.

(2) When, notwithstanding our afflictions, there is noe returning to y<sup>e</sup> L. [Lord.]

(3) When those evils are found among a people which call for evil dayes: as

1. Pride.

2. Lighting [slighting?] y<sup>e</sup> means of grace: Speak. [Speaking] Smooth things &c.

3. Covetousness, oppression & deceit. Micæ 2. [Micah, 2, 3.] When these things are incorrigibly persisted in, so y<sup>t</sup> y<sup>e</sup> prudent keep silence. Gray haire, & men know it not. Eccl. 12. 1.

Several gray haire: as

1. Decay of first love.
2. When there is a want of life & vigour.
3. A lukewarm spirit; a spirit of neutrality, when men know not whether to be for God, or Mammon: such a Laodicean strain speaks evil times.
4. When God seems to be withholding his converting spirit.

<sup>2</sup> Q. What to redeeme time?  
 [2Question] Nega. [Negatively] time cannot be called back.  
 It presupps. [presupposes]

1. A sence of y<sup>e</sup> loss & worth of time.
2. A sence of y<sup>e</sup> disadvantage accruing by y<sup>e</sup> loss of it.  
 [It implies (1) Knowing y<sup>e</sup> seasons & opp. [opportunities] Rom. 13. 11.
- (2) A dew [due] improving y<sup>e</sup> time: catching at all opportunities & parcels of time. Eccle. 9. 7. do it with all thy might.

R. 1. 1. From y<sup>e</sup> *absolute necessity* of it, in respect of what we have lost.  
 [Reason 1.] 2. With respect unto y<sup>e</sup> shortness of time.  
 3. With reference to y<sup>e</sup> means of redeeming time, which are hastening away.  
 4. With respect to y<sup>e</sup> work & buisnesse we have to doe.  
 R. 2. From y<sup>e</sup> comānd [command] of God.  
 3. Because y<sup>e</sup> dayes are evil from y<sup>e</sup> sinne acted by each of us.

Q. 3. Why especially at such a time?  
 [Question3] (1) God expects it then.  
 (2) Evil dayes cut men short of their time.  
 (3) It is y<sup>e</sup> only means to prevent y<sup>e</sup> badnesse of y<sup>e</sup> times.  
 (4) Because evil dayes take awaye y<sup>e</sup> means for redeeming time.  
 (5) Satan is then most busy.  
 (6) Else we shall be fools.  
 (7) At such a time, we do most honour God, if so be then we redeem y<sup>e</sup> time.

U. Exam. 1. Whether y<sup>e</sup> evil of y<sup>e</sup> times have been any motive to us to  
 [Use for Examination.] redeem it.  
 2. Hath it wrought in us a greater circumspection? hath it stirred up a spirit of prayer in us?

U. 2. Wt. [What] thankfulness, y<sup>t</sup> God gives us a season & opportunity to redeem time? God sumēs [sums] up a great deal of love in y<sup>s</sup> [this;] I gave her space to repent: y<sup>e</sup> more  
 1. Because we have neglected y<sup>e</sup> time.  
 2. How many cut short of time!

U. Exort. Redeem y<sup>e</sup> time. If we have all lost time, y<sup>n</sup> [then] it is time  
[Use for Exhortation.] for us to redeem time.

- (1) Our time is limited to a certain time.
- (2) There is notice & account taken of all y<sup>e</sup> opportunityes we enjoy. 3 years I come &c.
- (3) This is y<sup>e</sup> very end of all y<sup>e</sup> space we have afforded us.

Direct.  
[Directions]

1. Bethink yourselves what y<sup>e</sup> worth of time is.
2. Take heed of resting in dutyes.
3. Do not procrastinate: this, a daring of God. Matt. 24, latter end.

## CHAPTER V.

Settlement of Rev. John Fox, November 1703.—Declaration of the Church, 1703.—Occasion of Baptists in Woburn, 1671.—Proceedings in the Law against Them, etc., etc.—Brief Notices of the Six Subscribers to the Church's Declaration, viz: William Johnson, Esq., Dea. Saml. Walker, Joseph Wright, Senr., James Convers, Senr., W. Locke, Senr., James Convers, Jr.

THE last chapter, it will be remembered, brought down the history of Woburn to the death of Rev. Jabez Fox, its second minister, February 28, 1702-3. In April following, agreeably to ancient Puritan custom, a Fast was held by the town, the public services of which were conducted by several of the neighboring ministers, to implore the divine direction in the choice of a successor.<sup>1</sup> At a town meeting, April 5th, 1703, Mr. John Fox, eldest son of Rev. Jabez Fox, who was then keeping the Grammar School in the town, was invited to preach three months on probation; and this invitation was afterwards renewed for three months more. Before this latter engagement expired, the church held several meetings with reference to his permanent continuance among them; at one of which, they chose Mr. Fox, as the Town Records express it, "for their Minister, in order to his full settlement in the worke of the Ministry":<sup>2</sup> by which choice seems to be meant, that they voted him a call to the pastoral office. The town, at a meeting October 4, 1703, confirmed these proceedings of the church; choosing by a major vote, "Mr. John Fox to be the Minister of the town of Woobourne."<sup>2</sup> They also voted to give him £80, one fourth in money, as his salary for the first year; which was the same compensation that his father had been wont to receive; and promised, in case

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<sup>1</sup> Paid "to James Fowle . . . for the Elders Entertainment, for themselves and horses, on the Town Fast in Aprill last [1703] - - £1:8:0."

*Town Records, Vol. IV., p. 249.*

<sup>2</sup> *Town Records, Vol. IV., p. 238.*



"of his settling in the Worke of the Ministry in Woobourne upon his own Lands,"<sup>3</sup> that they would use their influence with the proprietors of the town<sup>4</sup> to grant him at their next meeting a piece of land lying between his own land and that of Mr. Timothy Carter, son of the first minister. These proposals were accepted by Mr. Fox, and he was accordingly ordained the following month, November 17, 1703, as the pastor of the church, and minister of the town of Woburn. The exercises of this solemnity are preserved in remembrance, in the following brief notice from the diary of Rev. Joseph Green of Salem Village, now Danvers, who was present on the occasion. "17 Nov. 1703. I went with Mr Fitch and Lld. [landlord] to Mr Fox's ordination at Oburn. Mr. Peirpoint [of Reading] began with a prayer. Mr Fox preach'd. Mr. Willard [of Old South Church, Boston] gave the charge. Mr Peirpoint the right hand. I came home at 7 o'clock."<sup>5</sup>

But though Mr. Fox was now considered as permanently settled in Woburn, yet nothing had been determined hitherto respecting his salary beyond the first year. At a meeting called to act on this subject, November 13, 1704, the town voted:

1. To "maintaine their minister, the Reverand Mr John Fox, by a rate or assessment proportioned upon them for that end, according to former custom in Woobourne."

2. To allow him for his encouragement in his work the sum of eighty pounds annually, "forty pounds in money, and forty pounds in corne and other provisions at money price, at the ordinary rate they are sold for between man and man in Woobourne."

3. That this agreement should stand as long "as the said Mr. John Fox shall continue and carry on the whole work of the Ministry in Woobourne."<sup>6</sup>

<sup>3</sup> Upon the homestead inherited from his father.

<sup>4</sup> The old distinction between the *proprietors* and the *inhabitants* of the town is here, as it is in other passages of the records, properly observed.

At a meeting of the proprietors, March 6th, 1703-4, they voted unanimously to give Mr. Fox the piece of land referred to, "to be his own proper estate forever." — *Town Records*, Vol. IV., p. 253.

<sup>5</sup> Manuscripts of the late William Gibbs, Esq., of Lexington. Vol. C., No. 10, p. 30.

<sup>6</sup> *Town Records*, Vol. IV., pp. 269, 270.

But these votes were not passed by the town with unanimity. Twenty-six persons, several of whom were men of great respectability, entered a protest against them; which, with their names, is recorded in the Town Book.<sup>6</sup> Their dissent, however, was not owing apparently to any dissatisfaction they felt with Mr. Fox, but founded expressly upon the alleged poverty of this town in particular, and of the country in general, by reason of the growing charge of the then present war, which rendered them averse to "stating any certain sallery at [that] time," etc.<sup>6</sup>

Mr. Fox being present at this meeting declared his acceptance of what the town then voted, as his permanant annual allowance, and in view of the public burdens then pressing upon his people, he agreed, for the present year, to be satisfied with Seventy pounds, and to make due consideration afterward, "So long as the charge of the present war lay so heavy upon this town."<sup>6</sup>

While the question of Mr. Fox's settlement was pending, a communication was made to him by the church, subscribed by six of its leading members, in behalf, apparently, of themselves and their brethren, which shows decisively what were the sentiments of the great majority of Woburn Church at that day, respecting the doctrines of religion, and ecclesiastical order and government. A copy of this interesting communication was found many years ago in a box of time-worn papers, belonging to the Dean family, in which, probably, it had been quietly resting for upwards of a century. It is seemingly in the handwriting of Major William Johnson, and reads as follows:

"A COPPY OF THE PROPOSALS OF WOObURN CHURCH offered to Mr John Fox, when on his probation among them June y 3d. 1703."

"It is now about three score years since this Church of Wooburn entered into Couenant as a Church of Christ, and haue continued ever since in that ffaith and Order which we were instructed in by our Honourable and Reverend fathers spirituall, political and naturall, and above all, the Word of God, the which we haue perused, and finde it to warrant the same, and wee hope wee shall not depart from it now wee are old.

"Wee do therefore declare the Confession of Faith drawn up by

the Rev<sup>d</sup> Synod held at Cambridge in (48) and approued of by the Honoured Gen<sup>l</sup> Court, and perused again by the Synod held at Boston in the year (79), and that Platform of Discipline agreed upon at the same Synod in (48) and approued of by the Synod in (79) held at Boston, for the Substance of it wee agree with it; and wee do fully comply with that Chapter in the Confession of Faith concerning Baptism, Paragraph (4), that not only those who do actually proffess Faith [in] and Obedience unto Christ are to bee baptized, but allso the Infants of one or both Belieueing Parents are to bee Baptized, and they only. Wee allso comply with and hold that a Congregational Church ought to be furnished with Pastours and Teachers, Ruling Elders and Deacons, as in the (7) Chapt. of Discipline. Wee agree allso with the (8) Chapt. concerning the Election of Church Officers, and with the (9) Chapt. concerning Ordination and Impositions of hands, and with the (10) Chapt. concerning Church Power, and with the (12) Chapt. concerning the Admissions of Members: all which wee pray God to keep us stedfast in, that wee may hold out to the End.

“ WILLIAM JOHNSON

“ SAM<sup>l</sup> WALKER

“ JOSEPH WRIGHT Sen<sup>r</sup>

“ JAMES CONUERS Sen<sup>r</sup>

“ WILLIAM LOCK Sen<sup>r</sup>

“ JAMES CONUERS Jun<sup>r</sup>.”

The “Confession of Faith,” to which the subscribers to this Declaration for themselves (and probably for the Church at large) profess their assent, is here, through inadvertence, erroneously ascribed by them to the synod assembled at Cambridge in 1648. That synod framed no Confession of their own; but only expressed their approbation of that composed by the Westminster Assembly. The Confession here intended is that which was agreed upon by the Reforming Synod (so called), assembled at Boston 1679 and 1680. Excepting some few variations, it is the same as the Savoy Confession, drawn up and assented to by the Elders and Messengers of the Congregational Churches in England convened at the Savoy Building in London in 1658. It is in sentiment thoroughly Calvinistic. Being adopted by the Reforming Synod in this country, May 1680, as

expressing their own views in religion, and those of the churches represented by them, it was immediately submitted to the General Court, then sitting in Boston, for their approbation; and, receiving their sanction, it thenceforth became for many years a common standard of faith to the churches of Massachusetts, especially to such as were gathered during the first half of the last century. In Chapter xxix. of this Confession, entitled "Of Baptism," the fourth paragraph reads as quoted in the Declaration, "Not only those that do actually profess Faith in, and Obedience unto Christ; but also the Infants of one or both believing Parents, are to be baptized, and those only."

This Declaration may reasonably be considered as a decisive testimony to the faith, worship, and order of the church of Woburn at the period it was drawn up; and was, doubtless, made in compliance with a previous request, expressed or intimated, by Mr. Fox. But here the inquiry suggests itself; viz: What led Mr. Fox to present such a request to the church? For, though it is very common for a church to require of a *candidate* for settlement over them a formal statement of his views of religion and ecclesiastical discipline, yet, *churches* have been but very rarely, if ever, asked to make such a statement by the candidates whom they employ, while preaching upon probation among them. No light on this point can be gathered from the records of this church at that day, which have long been missing. The Town Records, too, are entirely silent on the subject. But the ecclesiastical history of the country at that period brings certain facts to view, from which may be deduced a plausible solution, at least, of this interesting inquiry. At the commencement of the last century appears to have been first raised an alarm that innovations were making in the primitive faith and constitution of the churches of Massachusetts. The ancient orthodox standards of religious belief, it is true, were yet acknowledged and retained; still, there is ground for supposing that declension from them was even then creeping into the churches, which some years afterward openly manifested itself. The opinion that the communion was a converting ordinance, and, consequently, that evidence of regeneration was not



an indispensable prerequisite for admittance to church fellowship, was now, for the first time, advanced by Rev. Solomon Stoddard, of Northampton, a minister pre-eminent for learning, piety, and the distinguished success of his labors; and, being recommended by his great name and influence, was gaining ground in the churches, and lowering, in many places, the terms of admission to ecclesiastical privileges. Again, sundry novelties in the worship and discipline of Brattle Street Church, Boston, established in 1699, excited, for a while, apprehensions in many of a design to introduce Presbyterianism or Episcopacy on the ruins of Congregationalism.

From the year 1700, likewise, a plan appears to have been ripening, which, with the ostensible design of improving the constitution of the Congregational churches, was, in reality, calculated to subvert it. This plan was published and warmly recommended by one Clerical Association in 1705, and not improbably would have been extensively adopted, had it not been counteracted by the opposition of Rev. Dr. Increase Mather (who, though friendly to its general provisions, warmly objected to some of its peculiarities); and, more especially, by the keen satire, as well as powerful reasoning of Rev. John Wise, minister of Chebacco Parish, Ipswich, in his celebrated work, entitled, "The Churches Quarrel Espoused." Moreover, it appears from documents to be presently adverted to, that about the year 1670, the church of Woburn, itself, was considerably divided on the subject of Baptism, and, although that division was now probably in good measure healed, yet the remembrance of it had not passed away, and might naturally excite some solicitude in the mind of one who was preaching here as a candidate for the pastoral office. It is not surprising, then, that Rev. Mr. Fox, while preaching at Woburn on probation in 1703, should desire of the church some distinct expression of their views, both of the various controversies which were then agitating the public mind, and also of that, which, it was still remembered, had once been debated among themselves. And such an expression was the Declaration above cited. It is a full, definite disclosure of the sentiments of the church, by some of its leading members, in

regard to all the points of controversy alluded to; and it was excellently calculated to relieve Mr. Fox of all anxiety which the consideration of them might have occasioned.

The allusion just made to Baptists in Woburn, above a century before the foundations of the present numerous and highly respectable church and society of this denomination were laid, may naturally excite curiosity in the present inhabitants of the town to know who and how many these persons were; what stand they took in relation to their peculiar sentiments and practices; and how long the separation continued before it ceased, and Congregationalists became once more the only publicly known denomination of Christians in town? The great mass of the first settlers of the Bay State were either strictly Congregational at coming to this country, or speedily became so. For about thirty-five years from the settlement of Salem, the oldest town in the Massachusetts Colony, as distinct from that of Plymouth, all the churches that were gathered in it were Orthodox, Pædobaptist, Congregational churches. But in 1663, a Baptist Church was gathered at Rehoboth, now within the bounds of Massachusetts, but then within Plymouth jurisdiction. This church, in 1667, was removed to Swansea, by order of the Plymouth Government, and there flourished under the pastoral care of Rev. John Miles, a clergyman from Wales, in Great Britain. In 1665, the First Baptist Church in Boston was formed at Charlestown, two of the principal members of which, Mr. Thomas Gould and Mr. Thomas Osburn, had previously for years belonged to the Congregational Church of Charlestown. From Charlestown and Boston, the peculiar opinions of the Baptists seem to have quickly spread to Woburn; and several members of the church here either embraced them, or were strongly disposed to favor them, and, consequently, to condemn or to withdraw from the worship and ordinances of the church to which they belonged, and to unite themselves with the church of the new denomination. But such a course of proceeding was then an offence against the Colony laws, and soon involved its abettors in trouble before the judicial tribunals. The following extracts from the Records of the ancient Quarterly Courts

for the County of Middlesex <sup>7</sup> show the names, and the number of the persons indicted belonging to Woburn, the nature of their supposed offences, and the methods taken to punish or reclaim them.

“ Court at Charlestown, December 19, 1671.

“ John Johnson of Oburne <sup>8</sup> appearing according to summons, to answer the presentment of the Grand Jury for his absenting himself constantly on the Lord's Dayes from the Publick Worship of God — confessed that he had formerly gone to the Anabaptistick assembly, but now he had left off; and for some time had attended the worship of the Lord with the People of God in the place where he dwells, and was resolved, God continuing life and health, that he would still so do. The Court accepted of his promise; and paying Court fees, he was discharged.

“ Hopestill Foster John Peirce of Oburne appearing before the Court to answer presentment of the Grand Jury for turning their back on the holy ordinance of Baptism, confessed the presentment; and being the first time, the Court sentenced them to be admonished; which was accordingly performed in open court; and paying fees of Court, were discharged.

“ John Russell of Oburne sen<sup>r</sup>. <sup>8</sup> appearing before the Court to answer the presentment of the Grand Jury for renouncing communion with the Church of Christ in that place, whereoff he is a member; and this declared of late by his frequent absenting himself from the Public ministry of God's word on the Lord's Dayes, and turning his back on the holy Ordinance of Baptism, and refusing to partake with the Church, in the Sacrament of the Lord's Supper, joynng himself to the schismatick assembly of the Anabaptists, and taking office power among them, casting out John Johnson who was a member with them: He the said Russell confessed the presentment; and the Court considering the nature of his Indictment, and the firm [former?] endeavors legally used for his conviction and reformation, and by his obstinacy therein he hath made himself lyable to the judgment and sensure of the Court

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<sup>7</sup> Copied from Lib. 3, pp. 11-13, and communicated by Thomas B. Wyman, Esq., of Charlestown.

<sup>8</sup> No uncommon way of spelling *Woburn* in former days; but whence derived, uncertain. Beside John Russell, Senr., his son, John Russell, Jr., was also cited to appear before this Court. But his indictment, and the result of his trial, are not mentioned in these extracts.

of Assistants, do order that he give bond in ten pounds to appear at the next Court of Assistants to answer the aforesaid presentment, and that he stands committed untill this order be fulfilled — John Russell sen<sup>r</sup>. doth acknowledge himself to stand bound in ten pounds sterling to be forfeited and payd to the crier of the Court, at Boston, On condition that the said John Russell shall appeare at the next Court of Assistants to be held at Boston, to answer the presentment of y<sup>e</sup>. Grand Jury as is above declared; and that he shall abide the order of the Court therein, and not depart without license.

“ Matthew Johnson appearing before the Court to answer the presentment of the Grand Jury for turning his back on the holy ordinance of Infant Baptism, confessed the presentment: and being the first time of his conviction, the Court sentenced him to be admonished; which was accordingly done in open Court: paying costs, he was discharged.

“ Whereas John Wright,<sup>9</sup> Isaac Cole, Ffrancis Wiman, John Wiman, Ffrancis Kendall, Robert Peirce, Matthew Smith & Joseph Wright, members in full communion with the Church of Christ at Woburne, were presented by the Grand Jury of the County of Middlesex in New England at the Court in October last for refusing communion with the Church of Woburne in the Lord's Supper, and rejecting the counsell of neighboring churches, and all other measures for healing the disorder and scandall thereby occasioned: This Court having heard their severall answers, wherein they pretend and alledge that the grounds of their withdrawing are sundry scruples in poynt of conscience, not daring to partake with the church for fear of defilement by sin, giving some reasons of their dissatisfaction, which not being satisfactory to the Court, who are sensible of the scandall thereby redounding to our profession, and considering the directions given by the word of God and laws of this Colony, requiring the attendance of all due meanes for preserving the peace and order of the churches in the wayes of godliness and honesty, that so all God's ordinances may have passage unto edification, according to the rules of Christ.

“ This Court do therefore, upon serious consideration of the whole case, order that the respective churches of Charlestown,

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<sup>9</sup> Not Deacon John Wright, but a son of his; as was also Joseph Wright, presented at the same time. See notice of Joseph, at the close of this chapter.



Cambridge, Watertown, Redding & Billerica be moved and requested from the Court, according to God's ordinance of communion of churches, to send their elders and messengers unto the church of Woburne the      day of March next, where the brethren that were presented as above said are ordered and required to give a meeting together with the church there, and shall have liberty humbly and inoffensively to declare their grievances, and the church also to declare the whole case for the hearing of their proceedings: And after the case is fully heard by the said councill, they are to endeavor the healing of their spirits, and making of peace among them, for the issuing of matters according to the word of God, and to make returne of what they shall do herein to the next county Court to be held at Cambridge: And the Recorder of this Court is ordered seasonably to signify the Court's mind herein to the several churches above named. It is ordered that the Court's final determination in the above named case be respited, untill they receive the councill's return, and the above named persons that were presented by the Grand Jury are ordered to attend at the next court at Cambridge."

By these extracts from the above mentioned authentic sources of information, it appears, that thirteen citizens of Woburn were prosecuted before the Middlesex County Court, in Dec. 1671, for publicly manifesting contempt for the ordinance of Infant Baptism, as administered in the church of Woburn; or for withdrawing from the worship or communion of that church, and attending the assemblies of the Anabaptists, (as they were called) which were not then allowed by law. Of these thirteen persons, one was discharged upon his acknowledgment and promise of change of conduct, and paying costs of Court. Three received in Court a public admonition. One deemed more irreclaimable than the rest, (viz: John Russell, Senr.) was bound over to the Court of Assistants, then the Supreme Court of the Colony, for a final decision upon his case; and sentence upon the remaining eight was deferred by the Court, till the efficacy of the reasonings and persuasions of an ecclesiastical council could be tried for reducing them to terms of peace and unity with the church of Woburn once more. This Council appears to have met at the time and place appointed; for the Court after-

wards ordered that its expense should be defrayed by the Church.<sup>10</sup> But there being no known record of its result, or of any further action of the Court in the case, it seems probable, that the report of the Council was so far favorable to the persons indicted, as that the Court deemed it expedient to discharge them.

Two of the eight persons whom the Council had to deal with, viz, Joseph Wright and John Wyman, seem to have been convinced of error by the labors of the Council, or some other instrumentality, and to have become cordially reconciled to the church of Woburn again; for the former person became afterwards a deacon in that church, and was one of the subscribers to the above-cited "Declaration," and the latter took an active part in the settlement of Rev. Jabez Fox, as colleague of Rev. Thomas Carter, in 1679; and in his will, dated March 10, 1683-4, he left a legacy of forty shillings to each of them, styling them his "Reverend Pastors." His brother, Francis Wyman, appears to have always retained his partiality for the sentiments of the Baptists; for, in his will, dated Sept. 5th, 1698, a few months before his death, he bequeathed to the two elders of the Baptist Church in Boston, Mr. Isaac Hull and Mr. John Emblen, "twenty shillings apiece." But in naming these gentlemen in his will, as he does not call them "his pastors," as his brother John does Messrs. Carter and Fox in his will, he gives room for the supposition that he ultimately decided, from prudential considerations, to attend public worship with his neighbors where he lived; and that, keeping his peculiar sentiments on the subject of baptism to himself, as implying nothing in his view essential to the Christian character, he died in communion with the church of Woburn. The course taken by the other five members of the church, with whom the Council was to deal, by order of Court, is unknown. As I have been unable, however, either by tradition or records, to discover

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<sup>10</sup> "This Court doth order that the charges expended in entertayning the late councill at Woburne shall be satisfied by all the church (apportiond?) as other charges are paid among them by order of the Selectmen; and the constable is ordered to levy the same." — *Quarter Court Records, Vol. III., p. 37.*

any traces of Christians in Woburn, subsequently to this period, who maintained the opinions and worship of the Baptist denomination, in opposition to Congregationalists, or in distinction from them, previously to the troubles with Rev. Mr. Sargent, about 1795, it seems but reasonable to conclude that all belonging to Woburn, who had been summoned before the civil tribunals for their Baptist sentiments and practices, December 1671, except John Russell, Senr., and John Russell, Jr., his son, either renounced those sentiments and practices as erroneous; or else that they worshipped unitedly with their Congregational brethren while they lived, not accounting the differences between them as essential; and that, when they died, their peculiarities died with them in Woburn, or, at least, ceased to be publicly manifested there and insisted upon by any who might hold them.

But there was one person indicted as above, whose resolute spirit no opposition could subdue, no suffering could break down, or cause to swerve from the path which he deemed to be right. John Russell, Senr., was one of the earliest inhabitants of Woburn, being a subscriber to the Town Orders drawn up for it at Charlestown, in 1640. By occupation he was a shoemaker; and, for several years, without interruption, was chosen to the responsible office of Sealer of Leather. He was also one of the Selectmen several years in succession; and, in 1664, was appointed on a highly respectable and important committee of seven for making distribution among the proprietors of the town "of plow lands and swamps, and a particular division of the remote timber, according to justice and equity."<sup>11</sup> He is likewise named in the Town Records of the same year as a deacon of the church; and, at that time, was doubtless an Orthodox Congregationalist, both in profession and practice. But, afterwards, embracing the peculiarities of the Baptists, he was in the latter part of the year 1669, or in the former part of 1670, admitted into the Baptist Church of Boston, which then met for worship at Noddle's Island. Of this church, he was soon after

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<sup>11</sup> Town Records, Vol. I., p. 29.

chosen an elder. For in a letter from Edward Drinker, (a leading member of that church, and one of its founders,) directed to Mr. Clarke and his Baptist Church at Newport, and dated November 30, 1670, he takes the following notice of Mr. Russell: "The Lord has given us another elder, one John Russell Senr., a gracious, wise and holy man that lives at Woburn, where we have five brethren near that can meet with him; and they meet together first days, when they cannot come to us; and I hear there are some there looking that way with them." Before this, probably in consequence of the change in his religious views, he had become remiss in his attendance upon public worship at Woburn, was wont to turn his back at the ministration of Infant Baptism, and refused to partake with the church there, of which he then was, or recently had been, both a member and an officer, in the Sacrament of the Lord's Supper. Upon these charges, and likewise for joining the Baptist Church in Boston, which had not been regularly gathered according to the laws of the Colony, and for accepting the eldership among them, and exercising the authority of that office in excommunicating John Johnson, Senr., of Woburn, who had been admitted a member before him, he was summoned and tried before the Court of Quarter Sessions at Charlestown, December 19, 1671: and, by that Court, he was bound over, as we have seen, to appear before the Court of Assistants at their next session. By the decision of this tribunal, which was then the Supreme Judicial Court, as well as principal Legislative body of the Colony, he was committed to prison, but was shortly after released. For in a letter from William Hamlit, a Baptist brother, dated at Boston 14: 4 mo: (14 June) 1672, he is spoken of thus: "I perceive you have heard, as if our brother Russel had died in prison. Through grace he is yet in the land of the living, and out of prison bonds; but is in a doubtful way as to the recovery of his outward health: but we ought to be quiet in the good will and pleasure of our God, who is only wise. I remain your loving brother,

"WILLIAM HAMLIT."



After the death of Elder Gould, first pastor of the Baptist Church in Boston, in October 1675, Elder Miles, of Swansea, seems to have statedly ministered to it till 1679, when he returned to his former charge in Swansea, and Mr. Russell was ordained to succeed Mr. Gould in Boston. It seems to have been long taken for granted that the person thus ordained as Elder Gould's successor in the pastoral office, was John Russell, Senr., who had been an elder in the Baptist Church at Boston, almost from the time of his admission as a member. But the Records of Deaths in Woburn, represent "John Russell" to have deceased June 1, 1676; and that John Russell, Senr., is there intended, inspection of Woburn Records of Births, in which the births of the children of John Russell, Jr., are registered till January 1678, does plainly show. The obvious inference from these statements is, that Elder John Russell, Senr., died at Woburn, June 1, 1676, above three years before he is commonly supposed to have been recognized as the pastor of the Baptist Church in Boston. And this inference is confirmed by the date of his Will in the Probate Office, which is May 27, 1676,<sup>12</sup> five days only before the date of the death referred to as recorded in Woburn Town Book. Reflection upon these and similar recorded facts has induced a firm persuasion, that the successor of Elder Gould, in the pastoral office at Boston, was John Russell, Jr., not John Russell, Senr.; as, through inadvertence to the difference of the persons occasioned by the sameness of name and secular occupation, has been commonly supposed.

John Russell, Jr., was probably born either in England, before his father came to this country, or at Charlestown, where his father resided before Woburn was settled; married Sarah Champney (of Cambridge, it is presumed), 31 October, 1661; followed, doubtless, his father's trade of shoemaking; and, like his father before him, was chosen repeatedly in Woburn, Sealer of Leather.<sup>13</sup> He was admitted to the Baptist Church in Boston

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<sup>12</sup> Abstract of Wills, taken from Probate Office, and communicated by Thomas B. Wyman, Esq.

<sup>13</sup> Viz: for 1677 and 1678. Town Records, Vol. I., pp. 72, 79.

some months at least, if not a year or more, before his father, being the fourth male person received into that church after it was constituted, in 1665; and was always regarded by the other brethren, as a very respectable and valuable member. In letters to that church from other churches and ministers of the same denomination from abroad, as quoted in Backus' History of the Baptists, he is repeatedly mentioned with his father in their salutations, in terms of equal respect and affection. He was quite as obnoxious, too, as his father to the civil authorities; and was presented with him to the Court of Quarter Sessions at the same time, December 1671. This fact we learn from a letter from Benjamin Sweetzer, a Baptist member belonging to Charlestown, to Mr Samuel Hubbard, a member of the Baptist Church at Newport, R. I. In that letter, dated at Charlestown, December 10, 1671, he writes, "The persecuting spirit begins to stir again. Elder Russel and his son, and brother Foster, are presented to the Court that is to be this month. We desire your prayers for us, that the Lord would keep us, that we may not dishonor that worthy name we have made profession of; and that the Lord would still stand by us, and be seen amongst us, as he has been in a wonderful manner, in preserving of us until this day."

John Russell, Jr., was ordained, as successor of Elder Gould, to the pastoral charge of the First Baptist Church in Boston, July 28, 1679. At the same time, he removed his residence from Woburn to Boston, according to the historian of the Baptists, with whose statement on this point Woburn Records do well agree. For these, while they record the births of John Russell, Jr.'s children till January 1677-8, and his taxes in Woburn till December 1679, the year of his removal to Boston, make no mention of him afterwards, though they record the death of his widow, Sarah, April 25, 1696; who, it seems, after the death of her husband, removed back from Boston to Woburn. At Boston, Elder Russell appears to have been a zealous and successful laborer in his sacred office; but he was not permitted to continue in it long, being taken away by death, December 21, 1680. Concerning him, Rev. Isaac Backus, the

historian of the Baptists, observes, "It is evident, that the gifts and graces of Elder Russell were not small; and his memory is precious."

During the short period Elder Russell was in office, he wrote a treatise in answer to some harsh reflections upon the Baptists, contained in a then recent publication of Rev. Dr. Increase Mather, asserting "The divine right of Infant Baptism." This answer was entitled "A brief Narrative of some considerable passages concerning the first gathering and further progress of a church of Christ in Gospel order, in Boston in New England," etc. It was "dated from Boston the 20th. of May 1680"; and, being approved by his church, it was sent, for publication, to London, where a preface to it was written by seven noted Baptist ministers of that day.

The descendants of Elder John Russell, Senr., who continued in Woburn, seem not to have retained his peculiar sentiments as a Baptist, but to have been of the Congregational persuasion; and when the town was divided into two parishes in 1730, John Russell, his great grandson, was the first Clerk of the First Congregational Parish in Woburn, and also Parish Treasurer and a Parish Assessor for several years in succession. But a granddaughter of Elder Russell, Senr., by his daughter, Mary Brooks, wife of Timothy Brooks of Woburn, was married at Swansea to a gentleman by the name of Mason, by whom she had three sons, Job, Russell, and John Mason, all of whom were esteemed preachers of the Baptist denomination in their day.

In reverting briefly to the civil prosecutions of the Baptists in Woburn above cited, it cannot but be deeply regretted by all who venerate the memory of our pious ancestors, that they should have resorted to the measures they did in this matter. As we view it at this distant day, it would seem that sound policy, as well as consistency with their own professed principles, dictated a far more liberal course. For what had these men done, that they should be compelled to answer for their conduct before the judicial tribunals of the country, and there be admonished as evil doers, fined, and one of them eventually sentenced to imprisonment? Had they committed any flagrant

crime? This is not pretended. Had they been chargeable with factious, seditious conduct, by which the peace of the community was infringed, or the public safety endangered? There appears but little or no sound foundation for such an allegation as this. The charge against them, which looks most like a civil misdemeanor, is that of turning their backs in God's house at the administration of infant baptism. This charge, all of them who were presented for it, confessed in Court; and I cannot help thinking, that even our candid Baptist brethren of the present day must own that they were blamable for this, as being a sort of rude, irreverent behavior, very unseemly for the time and place, which faithfulness to their principles did not require them to show, and which was calculated to give needless offence to their pious Pædobaptist brethren; and so was in this view a species of wilful disturbance of public worship. For if this were a right and becoming way of manifesting their conscientious scruples about, or *rejection* of an ordinance, which the great majority of their fellow-worshippers were equally conscientious in *observing*, then some similar method might be properly taken to express our dislike of, or objections against something which might be said in *prayer* or *preaching*; and in such case, what scenes of disorder and confusion might our churches be rendered by something exhibited to the eye only, without any help from the voice or the foot? Even this fault, however, seems quite as proper a subject for animadversion from the pulpit, as before a tribunal of justice. And as to all the other charges for which the first Baptists in Woburn were presented to the Court, I am free to express my apprehensions, that there was more wrong done to them than by them. For absenting themselves from Communion, they were rightfully answerable, not to the civil authorities, but to the church of Woburn, of which they were members. And as to the accusations against them and others of their day, that they had withdrawn from the established public worship, and gathered themselves into conventicles and churches which were without, or against the allowance of the civil government; what had they done in all this, but what our Puritan ancestors had done themselves, or had pleaded for the right of doing,



or bitterly complained of as an infringement of the rights of conscience, whenever against their own persuasion of what was right they were forcibly prevented from doing, in their mother country? Consistency, then, required them to show the same tender indulgence to the consciences of their dissenting brethren here, that they had pleaded or claimed should be shown to themselves by the bishops and church officials at home. For otherwise, how could they fulfil the law of love,—to do unto others, as they would have others do to them?

But while we cannot justify our ancestors in their proceedings against the early Baptists in Woburn, it behoves us in equity to moderate our censures, and to make all those allowances for them, which a due regard to their general character, and to the peculiar opinions and customs of those times demands. A large proportion of the magistrates, ministers and other leading men of that day were indeed among the excellent of the earth, men to whose pious care and benevolent exertions, not only their own, but all succeeding generations have been largely indebted. The sin of persecution, which has been often alleged against them, is not one which lies particularly against them, but was a sin of the times in which they lived. The rights of free inquiry, and of liberty of conscience, are matters which were then at best, but imperfectly understood; and a persuasion was almost universally prevalent of the necessity of uniformity in religious faith and worship in order to the public weal, and of the right and duty of the civil magistrate to maintain it by force. These two principles, understood in the extent to which they were formerly carried, are now generally and justly regarded as erroneous. Still, they were embraced by the civil fathers of Massachusetts with all sincerity. And from the practical influence of these principles upon their minds and measures, rather than from an inhuman, persecuting spirit, proceeded all their rigorous laws and hard dealings towards those who dissented from them in some particulars of their faith and practice. In passing those laws, they seem to have aimed at the purity of the churches, and the maintenance in them of truth and peace; and in the execution of those laws, while the edge of them was severely felt, not only

by Baptists, but by Episcopalians, Quakers, and by some individuals even of their own denomination, the magistrates who put them in force, appear all the while never to have been sensible that they were violating the rights of conscience, but to have been persuaded that they were only bearing that testimony to the truth, which they were in duty bound to manifest, and by the neglect of doing which, they would not only incur the judgments of heaven themselves, but bring ruin upon the country which they were set to defend and govern. As the renowned father of Woburn, Capt. Edward Johnson, observes in his "Wonder-working Providence," concerning the immediate predecessors of the rulers referred to; "To them it seems unreasonable, and to savour too much of hypocrisy, that any people should pray unto the Lord for the speedy accomplishment of his word in the overthrow of Antichrist, and in the mean time become a patron to sinful opinions and damnable errors that oppose the truths of Christ, admit it be, but in the bare permission of them."

But here lay the error of our pious ancestors and rulers in former days. All men, whether rulers or subjects, are bound to study, and seek after, and embrace and obey the truth of God themselves, and in their several places, and according to their several abilities and opportunities, to promote the reception of it by others. This is the best way of bearing testimony to the truth. But the Word of God nowhere authorizes rulers to employ the sword of persecution or civil force to compel men to believe, profess and follow its sacred dictates. The only sword that is lawful to be used in the Christian warfare against error and sin is the sword of the Spirit, which is the Word of God. All other weapons are only carnal weapons, which are strictly forbidden to be employed, even in defence of the truth. While, then, we admire and honor our ancestors for their many virtues and great excellences, let us not be blind to their faults, or attempt to justify or excuse them. Nor let us be so unjust to them ourselves as to condemn them without measure, after the manner of some, but candidly consider the numerous circumstances which palliate their failings, and willingly allow them all the weight that is their due.

Three years from the date of the memorable Declaration of the Church, in 1703, had but just elapsed, when three of those who subscribed it, viz, Deacon Walker, Major Johnson and Major Convers, had finished their course; so that their subscription to it may with reason be regarded as their dying testimony to the faith and order of the Church of Woburn at that day. And as these gentlemen, as likewise the three subscribers who survived them, were all men of great respectability and usefulness, a brief particular notice of each of them here may not be unacceptable.

William Johnson, Esq., whose name stands at the head of these worthies in their subscription to the Declaration, was the third son of Capt. Edward Johnson, one of the principal founders of the town and church of Woburn. He was born in England about 1630; was brought to New England, when a child, by his father, together with his mother Susanna and six other children of the family, in 1637; and removed with him, in 1641, from Charlestown, his first place of abode on this side of the Atlantic, to Woburn, where he continued to reside the rest of his days in usefulness and honor.

His public spirit and talent for business were early discerned by his fellow-citizens, who duly noticed and availed themselves of them. He was chosen one of the Selectmen in 1664, and again in 1672, and each following year in succession, till 1688. *That year*, also, he was chosen Selectman at the usual time under the Old Charter; but the choice on that day not being allowed to stand by the arbitrary government of Sir Edmund Andros, he appears to have declined a re-election on the day appointed by the Governor and Council for making a new choice; preferring a private station to holding office under the control of a power that was so openly hostile to the liberties of the people.

Shortly before the death of his father, in 1672, he was chosen to succeed him as Recorder or Town Clerk; an office which he held without interruption till 1688, in which year Lieutenant (afterwards Major) Convers was elected. His father had been constantly Town Clerk from the beginning of the town, in 1640, till the year of his death; so that the whole term during

which the father and son served the town, in this capacity, was forty-eight years.

He represented the town in the General Court in 1674; and again, eight years in succession, from 1676 till 1683 inclusively, either alone or associated with Humphrey Davie, Esq., of Boston, or with his distinguished townsman, Ensign James Convers.

In 1684, and the two following years, he was chosen one of the Board of Assistants, which, under the First Charter, was not only the Senate of the Colony, but the Supreme Court of Judicature. But the Colonial Government, being superseded, in 1686, by a President and Council, and quickly after, by a Governor and Council of the King's appointment, Major Johnson lived in retirement till the deposition of the Governor, Sir Edmund Andros, at the insurrection of the people in April 1689. At this interesting crisis, he was associated with other leading men in the community as a "Council for the safety of the people and conservation of the peace:"<sup>14</sup> and the old government, being shortly after revived, till a new charter could be obtained of King William, and the government orderly re-settled under it, he resumed his seat at the Board of Assistants, which had been vacated three years before. For his strong attachment to the Old Charter, and his expected opposition to the New, his name was dropped from the List of Councillors appointed by the Crown in the Provincial Charter in 1691. From this time, the part he took in the management of the public affairs of the country appears to have ceased. But the town of Woburn continued, on various occasions, and in various ways, to enjoy the benefit of his experience and services, till his death; which took place, after several months confinement, May 22, 1704.

Like his father before him, Major Johnson was eminently skilful in surveying; and of the numerous grants and extensive divisions of the common lands in the town, which were made during the first sixty years from its incorporation, there were but few which one or the other of these gentlemen was not employed to lay out. He was also the largest proprietor of

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<sup>14</sup> Hutchinson's History of Massachusetts, Vol. I., pp. 381-2.



land in the town, excepting the brothers, John and Francis Wyman, in his day. In the Town Records, his homestead (situate in "Plain Street," near what has been recently known as Mr. Edmund Parker's farm) and seventy other distinct tracts of land, containing nine hundred acres in all, obtained, some by purchase, and some by inheritance or by grant from the town, are recorded as his. A considerable portion of this great landed estate lay in the northwesterly part of the town, and was eventually settled upon and improved by his children and grandchildren, who were among the principal founders and inhabitants of the Second Precinct, or Burlington.

Major Johnson was highly esteemed for his wisdom and prudence as a magistrate. Tradition relates that several persons were brought before him for examination, accused of witchcraft, probably in 1692, the year of the general delusion on this subject. Papers containing an account of these examinations are said, on good authority, to have been once in the hands of his descendants. These documents are now lost. But as none belonging to Woburn appear to have been arraigned and prosecuted before the Court on this charge, it may be safely inferred that he had penetration enough to discern the imposture or prevailing error in this affair, and refused to commit the accused for trial.

He was distinguished for his undeviating attachment to the Old or Colony Charter, under which the people had enjoyed the right of choosing their own Governor, and other privileges of which they were very tenacious, but which had been condemned, and declared forfeited to the Crown in 1684. Like Cooke, Wiswall, Oakes, and other noted public men of that day, he was for insisting on that charter, or none; expecting probably, that by resolutely refusing to accept from the King any other charter, the people would eventually succeed in obtaining the restoration of the old one.<sup>15</sup> In this expectation, he was disappointed. And by his unwillingness to acknowledge and submit to the government by a President and Council, which

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<sup>15</sup> Hutchinson's History, Vol. I., p. 414.

immediately succeeded the Old Charter Government, he not only lost his former influence in the direction of public affairs, but was once in danger of being deprived of his personal liberty. On this subject, Judge Sewall, a friend of his, and an associate under the Old Government, thus writes in his Diary:

“1686 July 30. About this time, William Johnson Esq. is sharply reprov'd by the Council for his carriage on the Fast day, staying at home himself, and having a Dozen Men at his House: Told him must take y<sup>e</sup> Oath of Allegiance: he desired an hour's consideration; then said he could not take it: but when his Mittimus writing or written, he consider'd again, and took it rather than goe to Prison. Objected against that Clause of acknowledging that to be Lawfull Authority which administered; would see the Seals.”

Major Johnson was a professed Christian, and a member of the church of Woburn; and his life appears to have been answerable to his holy profession. In principle, he was a strict Orthodox Congregationalist, as is evident from his subscription to the Declaration of the Church, so often referred to. In his Will, dated May 10, 1695, he distinctly recognizes the doctrine of the Sacred Trinity; and, after making distribution therein of his worldly estate, he concludes with the following pious exhortation: “And thus haveing finished my Will, I doe exort and require all my children to live in peace one with another; and above all, [that] they honor and love the God of their father and grandfather, and to walk in their stepps, so farr as they have walked aright with God; and then I pray the God of love and grace [peace?] be with you all, Amen.”

By his wife, Esther (daughter of Thomas Wiswall, ruling elder of the church of Newton), whom he married May 16, 1655, Major Johnson had nine children, viz: six sons, William, Edward, Ebenezer, Joseph, Benjamin and Josiah; and three daughters: viz, Esther, Susanna and Abigail. Esther was married to Seth Wyman, and became the mother of Lieutenant, afterwards Captain, Seth Wyman, who distinguished himself at Lovewell's Fight. Abigail was married to Samuel Peirce. William, the eldest son, appears to have been at first a shipwright in

Charlestown, and, after his father's death, to have lived on the homestead in Woburn with his mother, agreeably to a codicil to his father's will. The other five sons all resided in that part of the town which afterwards became the Second Precinct; and among them and their children were found some who were zealous movers for the separation of that parish from the first, and principal supporters of public worship in it.

Deacon Samuel Walker, who was the second to sign the foregoing Declaration, and the direct ancestor of the family of his name, which, springing from this town, has been honorably distinguished in all generations by the attainments and public services of many of its members, both near and far off from their original seat, was the eldest son of Samuel Walker, Senr., of Woburn.

John Farmer, Esq., in his Genealogical Register, supposes that this Samuel Walker, Senr., was a son of Augustine Walker, of Charlestown, who had a son Samuel, born in 1642. And this hypothesis of Farmer has been adopted by several others on this point. But a decisive objection to this theory is that Samuel Walker, Senr., of Woburn was a much older man than Samuel, son of Augustine, of Charlestown; being, by a testimony he gave in at Court, December 28, 1658, forty-three years of age at that time.<sup>16</sup> This gentleman may on very plausible grounds be concluded to be a son of Capt. Richard Walker, who was one of the first settlers of Lynn in 1630, was made free-man of the colony, 1634, was chosen ensign of the military company of that town, March 1636-7, and afterwards successively its lieutenant and captain; and was elected, 1640, 1641, and again in 1648, 1649, the Deputy of Lynn to the General Court. He died in May 1687, aged ninety-five years; and his burial is briefly noticed by Judge Sewall in his Diary as follows: "Monday May 16, 1687, I go to Reading, and visit Mr Brock; and so to Salem. This day, Capt. Walker, a very aged Planter, buried at Lin." Besides two daughters, Capt. Walker had two sons, Richard and Samuel, both inhabitants of Reading.

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<sup>16</sup> Thomas B. Wyman, Esq., from Court files.

Samuel Walker, Senr., of Woburn, presumed above to have been the son of Capt. Richard Walker of Lynn, was born in England; accompanied his father to New England, 1630; and after residing with him a while at Lynn, he removed with his brother Richard to Reading, originally Lynn Village; and thence he subsequently appears, for some reasons, to have removed once more, and to have permanently established himself in Woburn, the adjoining town. He is first mentioned as an inhabitant of Woburn in its Records, at the annual election of town officers, February 25th, 1661-2, when he was appointed a Surveyor of Highways for that year. By occupation, he was a maltster; and was approved by the Selectmen, 1675, in order to obtaining a license for keeping tavern, being the first person known to have followed that business in Woburn. He appears to have been much respected in his day; being chosen Selectman in 1668, and appointed by the town the year before on a very important Committee for taking "a List of the persons and estates of the *right Proprietors*", among whom, it had been voted to divide a large portion of the common lands of the town. He died November 6th, 1684; when, agreeably to a testimony given by him in Court, and referred to above, he must have been in the 69th or 70th year of his age.

His children (the given name of his wife is unknown) were Samuel, Jr., Israel, and probably John, Senr., of Woburn; Hannah wife of James, son of Simon Thompson of Woburn; and Joseph Walker of Billerica.

Samuel Walker, Jr., his son (distinguished likewise in Woburn Records successively by the titles of Corporal, Sergeant, and Deacon Walker), was the second subscriber to the memorable "Declaration" of the church of Woburn above cited, and a gentleman of note and influence in his day. He was Selectman in 1679, and served the town in that office repeatedly afterwards. He was a member of the Convention of the Colony, which met in Boston 1689, upon the deposition of the governor, Sir Edmund Andros; and after the establishment of the government under the Provincial Charter of 1691, he represented Woburn in the General Court, 1694. About 1692, he was chosen a



deacon of the church of Woburn, an office which he seems to have retained through life. He died, January 18, 1703-4, aged 61 years.

Deacon Walker married, for his first wife, Sarah "Read," [Reed] of Woburn, 10th September, (or, as the County Records have it, 23d October,) 1662. By her, he had six sons: Edward, John, Samuel, Timothy, Isaac,<sup>17</sup> and Ezekiel; and one daughter, Sarah, married, January 12, 1686, [1686-7] to Edward, son of Major William Johnson. His wife, Sarah, dying November 1, 1681, he married, for his second wife, April 18, 1692, Abigail, widow of Lieut. James Fowle of Woburn: but by her he had no issue.

Among the descendants of Deacon Walker, there have been in all generations numerous individuals useful and respected in their day, and some of them, prominent members of society by their influence, public services, and high standing in the communities in which they have lived. Of this latter description, in the line of John, the *second* son of Deacon Walker, may be named,

I. 1. Mr. Edward Walker, son of John, born October 7, 1694; lived on his father's place (as did after him, his son Josiah, and his grandson Josiah, both reputable farmers in their day); married Esther Peirce, March 31, 1718, represented Woburn in the General Court 1745, 1751, '52, '53, '54; and was so highly esteemed by his fellow citizens for his integrity and soundness of judgment, that it was customary to prefix Mr. to his name, an honor rarely conferred in Woburn at that day. He died December 6, 1787, at the advanced age of 93 years. His wife died before him, September 23, 1761, aged 65 years.

2. General John Walker, a grandson of Edward, above named, and a son of Capt. Joshua Walker. He was born in Woburn

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<sup>17</sup> The birth of Isaac Walker is recorded in Woburn Town Book, as follows: "Isaac, son of Samuel Walker Senr, born ye 1st. of 9th. mo: 1677." But here, it can hardly be doubted, there is a mistake of the clerk in writing "Senr" for "junr." He married, 20 Feb., 1704-5, Margery Bruce, of Woburn; and he, and his sons by her, Isaac, Jr., Ezekiel, and Timothy, were some time resident at Pennicook, now Concord, N. H. — See *History of Concord*, by Rev. Dr. Bouton.

Precinct, February 7, 1762, and was appointed, 1798, by the elder President Adams, a Major-General, and commander of the army at Oxford, — the country then seeming to be in imminent danger of a war with France. Subsequently, he took a leading part in the measures adopted to procure a legal separation of his native village from Woburn; and, after it was incorporated as a town by the name of Burlington, in 1799, he ever exerted a powerful influence in the management of its affairs. He married, January 22, 1784, Miss Lucy, daughter of Mr. Jonathan Johnson, who was a descendant of the fourth generation from Capt. Edward Johnson, a principal founder of Woburn. He died, June 8, 1814, aged 53.

3. Hon. Timothy Walker of Charlestown, a brother of the General's, noted for his business talents and his wealth, and sometime a member of the Senate of this Commonwealth.

4. Rev. James Walker, D.D., a son of the General's; born in 1794; a graduate of Harvard University, 1814; several years pastor of the Unitarian Church of Charlestown; more recently the accomplished President of the University; and since his resignation of that office, living honored and beloved in retirement.

5. Dr. William Johnson Walker, a son of Hon. Timothy Walker of Charlestown, was graduated at Harvard University, 1810; perfected his medical education in Europe; and, upon his return to his native land, rose to high distinction by his skill and success as a physician and surgeon. He deceased lately in Newport, R. I., whither he had retired from the practice of his profession.

II. Samuel, third son of the first Deacon Samuel Walker, was born January 25, 1667–8; married Judith Howard, June 1st, 1689; occupied many years a house upon Maple Meadow Plain in Goshen, now Wilmington; but, about 1725, he removed to a house, recently standing in the south part of Burlington, where he spent the residue of his days. In 1709, he was chosen a deacon of the First Church in Woburn. But, at the incorporation, 1730, of the Second Precinct of Woburn, now Burlington, within the limits of which he then resided, he became of course a

supporter of the public worship there, and aided in gathering the Precinct church, and in ordaining Rev. Supply Clap, its first pastor, October 29, 1735. He was one of the ten brethren (including the minister) who subscribed the "Articles of Agreement," and the "Church Covenant," adopted on that solemn occasion; and November 10th, following, he was chosen one of the first two deacons of that church. In this office, he continued to serve till his death, which occurred September 28, 1744, in the 77th year of his age. A gravestone in Burlington Old Burial Ground marks the place of his interment. His wife, Judith, dying November 14, 1724, he married Mary, widow of Capt. James Fowle, who survived him. She died at Charlestown, October 23, 1748, æt. 80.

1. Capt. Samuel Walker, son of the second Deacon Samuel Walker and Judith, his wife, was born September 3, 1694; lived in the same house his father had lived in, upon Maple Meadow Plain, in Goshen, (so called) after his father had quitted it, about 1725; was a principal mover in the effort to procure the separation of Goshen from Woburn, and erecting it into a distinct town, which resulted successfully in the incorporation of Wilmington in 1730. By his wife, Hannah, he had twelve children, nine of whom died in less than two months, in 1738, of throat distemper. Capt. Walker died February 13, 1771; Hannah, his widow, died May 13, 1788, æt. 99.

2. Rev. Timothy Walker, son of the second Deacon Samuel Walker, and brother of the above Capt. Samuel Walker, was born within the present bounds of Wilmington, July 27, 1705; was graduated at Harvard College, 1725; was ordained first minister of Penacook, (afterwards Rumford, now Concord, N. H.) November 18, 1730; went three times to England, between 1753 and 1762, to appear before the King and Council, as Agent of the Proprietors of Rumford, in a controversy they had with the town of Bow; and died, universally loved and lamented by his people, September 1, 1782, in the 78th year of his age, and 52d of his ministry. His wife, Sarah, daughter of James Burbeen of Woburn, born June 17, 1701, died February 19, 1778, æt. 77, and lies buried by his side.

3. Hon. Timothy Walker, son of Rev. Timothy and Mrs. Sarah Walker, was born in Rumford, June 27, 1737; graduated at Harvard College, 1756; licensed to preach, 1759; but after laboring in the sacred profession about six years, he relinquished it for civil life; was a gentleman of great influence, and often employed both in town and State affairs; accepted the office of Judge of the Court of Common Pleas in New Hampshire, in 1777; was Chief Justice of that Court from 1804 to 1809; and died, May 5, 1822, in the 85th year of his age. By his wife Susanna, daughter of Rev. Joseph and Mrs. Esther Burbeen of Woburn, he had fourteen children, ten of whom lived to grow up.

4. Deacon Timothy Walker, son of Capt. Samuel Walker of Wilmington and Hannah his wife, born July 5, 1732, married, in 1758, Eunice, daughter of Joseph Brewster of Duxbury, who was a descendant of the third generation from Elder William Brewster of Plymouth in 1620; was chosen a deacon of the church of Wilmington, and died there May 9, 1809, æt. 77. Eunice, his widow, died June 2, 1815, æt. 84 years.

5. Hon. Timothy Walker, a grandson of Deacon Timothy, and a son of Benjamin Walker, Esq. and Susanna (Cook) Walker his wife, was born in Wilmington, December 1, 1802, graduated at Harvard College, 1826; studied law; settled as a lawyer in Cincinnati, Ohio, and was eventually promoted to be a Judge in one of the Courts of that State. He received from his Alma Mater, in 1854, the honorary degree of LL.D., and died in 1856.

6. Sears Cook Walker, brother of Hon. Timothy above named, and son of Benjamin, Esq. and Susanna (Cook) Walker of Wilmington, was born in Wilmington; graduated at Harvard College, 1825; eminent on both sides the Atlantic for his scientific attainments, especially in Astronomy; and sometime employed by the Government of the United States in the Coast Survey. He resided, principally, it is believed at Philadelphia, and died in 1853.

Joseph Wright, Senr., was son of Deacon John Wright, one of the first settlers of Woburn, and a subscriber to the Town



Orders, agreed upon at Charlestown, December 18, 1640; a Selectman of Woburn, 1645, and many years afterwards; one of the committee appointed by the General Court's Committee in 1668, for dividing the common lands "into proprietries," and a deacon of the church from 1664 till his death, June 21, 1688. His wife, Priscilla, died April 10, 1687. He left two sons, John and Joseph, born before the settlement of Woburn, and three daughters, Ruth, Deborah, and Sarah, born after. The deaths of his son John and wife are recorded as follows: "John Wright senr. died April 30. 1714 [aged 84 years: Gravestone] Abigail wife of John Wright died Apl. 6. 1726 [aged 84 years. G. S.]

Joseph Wright, third subscriber to the Declaration of the Church in 1703, is called in that Instrument Joseph Wright, Senr., in distinction from his own son, Joseph Wright, Jr., who was born March 14, 1667. Joseph Wright, Senr., was born before the settlement of Woburn in 1641, either at Charlestown, or possibly before his father, Deacon John Wright, had emigrated from England to this country. He married Elizabeth Hasell, November 1, 1661, by whom he had a numerous progeny. He was one of the Selectmen of Woburn 1670, 1673, 1692; and a deacon of the church as early as 1698 (Town Records, Vol. III., p. 124), in which office he continued through life. His death and that of his wife are recorded as follows: "Elizabeth, wife of Dea. Joseph Wright, died June 28, 1713." "Deacon Joseph Wright died 31 March 1724."

In December 1671, Joseph Wright, Senr., was presented by the Grand Jury, with his brother John and six others, to the court sitting at Charlestown, for withdrawing from the communion of the church of Woburn, of which they all were members, and for favoring in other ways the sentiments and practices of the Baptists. But, subsequently, being convinced that he had been in an error, he became reconciled to the church of Woburn, accepted the office of a deacon in it, and subscribed the "Declaration" made by it, which is decidedly Pædobaptist, in 1703.

James Convers, Senr., familiarly distinguished in the Town Records as Ensign or Lieutenant Convers, and whose name stands next to that of Deacon Wright among the subscribers to

the above cited "Declaration," was born in England. He came to this country with his father, Deacon Edward Convers, in the fleet which conveyed Governor Winthrop, in 1630; sat down first at Charlestown; and thence removed to Woburn, among its earliest settlers, in 1641. He married, October 24, 1643, Anna Long,<sup>18</sup> daughter of Robert Long, of Charlestown, by whom he he had ten children. Through a long life, he was a very valuable and highly esteemed citizen; was repeatedly honored by the town with the principal offices which it had to confer; and surviving his son, the Major, he died, May 10, 1715, aged 95 years.<sup>19</sup> In his will, dated August 28, 1712, he bequeathed as follows: "To my Reverend Pastor, Mr John Fox, twenty shillings; and to the church of Christ in Woburn, twenty shillings to purchase a large flagon withall." The twenty last years of his life were spent in retirement. But he was not one who under any circumstances could live without care or concern for the good of others. As indicative of this, the following anecdote respecting him seems worth preserving. As Hon. Judge Sewall was once journeying homeward from Newbury to Boston, he took the road through Andover and Woburn, then adjoining towns. His passage through Woburn he notices in his Diary thus: "1702 August 12.—Right [Wright] conducts me to Wooburn through the Land of Nod [in which he was largely interested]. This is y<sup>e</sup> first time I have seen it. Got late to Fowl's at Wooburn: Sick there, which made me uneasy. Aug. 13. Visit Mr Fox. View y<sup>e</sup> Hop-yards. Come home: very hot. Met Mr Converse the Father, & discours'd him under a Shady Tree. Won't give his Grandchildren till after his death, for fear of giving offence. Express'd his Grief that Gov<sup>r</sup> Dudley put men in place that were not good."

In this brief extract from the authentic record above referred to, it is strongly intimated that Woburn, the mother, was once as much noted for that now neglected branch of husbandry, the raising of hops, as her daughters, Goshen or Wilmington, and Shawshin or Burlington, have been in recent times. The

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<sup>18</sup> Woburn Records of Births, etc.

<sup>19</sup> Gravestone.

"shady tree," likewise there named, was doubtless the far-famed Woburn Elm, which stood near the Convers Mill, in what is now Winchester, and not far from the original house of the Convers family.<sup>20</sup> Beneath the wide spread limbs of that lofty tree, upon some block at its foot, methinks I see those venerable Puritans discussing in a friendly manner some knotty point of divinity; or discoursing with solicitude upon matters which concerned the welfare of their families, or of this, their adopted country; glancing in their conversation, every now and then, with a sigh at that better country, the heavenly Canaan, the longed-for land of every genuine Puritan, as his final abode, the land of his everlasting rest above.

William Lock, Sen., fifth subscriber to the Declaration, was brought to New England, 1635, on board the "Planter," from London, by Nicholas Davis, who, it is believed, was his uncle. He was then a child of but six years old, and was probably born at London, December 13, 1728; seems to have lived at first at Charlestown; came early to Woburn, after its settlement; married Mary, daughter of William Clark, of Watertown, November 27, 1655, by whom he had nine children, one of whom (the first) died in infancy; lived near to Kendall's Mill, in Woburn, on the spot where the late Capt. William Fox had his dwelling; was of the Board of Selectmen, 1687, 1696; was a deacon of the Church in 1700; and died June 16, 1720. His wife, Mary, died before him, July 18, 1715.

His descendants in Woburn, Lexington, and West Cambridge, have been very numerous. Among them was Rev. Samuel Locke, D.D., President of Harvard College. He was the son of Samuel Lock (a grandson of Deacon William) and of Rebecca Lock, his wife; was born at Woburn,<sup>21</sup> November 23,

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<sup>20</sup> This elm stood in the front yard of Deacon Benjamin F. Thompson, a few steps after crossing the railroad in Winchester, upon the left hand side of the road leading to Medford, and was cut down by that gentleman, (he once told me) some twenty years ago [1866].

<sup>21</sup> Biglow, in his History of Sherborn, claims him to have been a native of Lancaster. But Woburn Records of Births, Marriages, etc., state that his father and mother at marriage were both of Woburn, and record the birth of this their son Samuel, and the births of four other of their children, as occurring in the same town.

1731; graduated at Harvard College, 1755; ordained pastor of the church in Sherborn, November 7, 1759; installed President of the University, March 21, 1770; resigned that office December 1, 1773; removed back to Sherborn, and there died suddenly of apoplexy, January 15, 1778.<sup>22</sup>

James Convers, Jr., the last of those worthies, who subscribed the above Declaration of the church of Woburn in 1703, and familiarly known in his day as Maj. James Convers, was the eldest son of James Convers, Senr., and was born in Woburn November 16, 1645. He was a gentleman that, for a succession of years, appears to have faithfully and acceptably discharged various civil trusts reposed in him by the town.

But he is most celebrated for his services to his country in the military line, and especially for his gallant defence of Storer's garrison at Wells, during the war against the French and Eastern Indians, which began in 1688, and has been called, "The Ten Years War." That exploit of Major (then Captain) Convers, is spoken of, both by Hutchinson and by Belknap in their respective Histories, in terms of commendation.<sup>23</sup> Mather also, in his History of this War, entitled "*Decennium Luctuosum*," gives a minute and interesting account of this celebrated action, and as it is highly creditable to this distinguished son of Woburn, an abridgment of it may not improbably be gratifying to the citizens of Woburn at the present day.

It seems that on November 29, 1690, six Indian sachems had agreed at Sagadahock with Capt. John Alden upon a truce till the first day of May 1691, on which day they promised to bring all the English captives in their hands into Lieut. Storer's house at Wells, and there conclude upon terms of a firm and lasting peace.

Accordingly, on the day appointed, Deputy Governor Dan-

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<sup>22</sup> Woburn Records, Savage's Genealogical Register, Biglow's History.

<sup>23</sup> Hutchinson's History, Vol. II., pp. 67, 68, 72. Belknap's History of New Hampshire, p. 135. "But on the tenth day of June, [1691] an army of French and Indians made a furious attack on Storer's garrison at Wells, where Capt. Convers commanded; who, after a brave and resolute defence, was so happy as to drive them off with great loss."



forth and certain other gentlemen came from Boston to Wells, suitably guarded, expecting the fulfilment of this engagement by the Indians. But, as Mather expresses it, "the Indians being poor musicians for keeping of time," Capt. Convers went out, and returned with some of them, who brought in six English captives in company, and promised "that in twenty days more they would bring in to Capt. Convers all the rest." After waiting for the Indians beyond the term agreed upon, the Deputy Governor and company withdrew; and Capt. Convers, suspecting treachery, made earnest application to the County of Essex for help to be sent him as speedily as possible; and received from that quarter thirty-five men. This providential reënforcement saved the place. For scarcely half an hour had elapsed from their entering Storer's house on June 9, 1691, before Moxus, a fierce sachem, beset it, with two hundred Indians. But, receiving a brave repulse from the garrison within, he became discouraged and drew off. This gave occasion to Madockawando, another noted Indian sachem, and a virulent foe to the English, to say, as was afterwards reported, "My brother Moxus has miss'd it now; but I will go myself the next year, and have the dog Convers out of his hole." The event proved that this was no empty threat; that Madockawando meant as he said. For, on June 10, 1692, just a year and a day from the time that Moxus commenced his attack on the garrison of Wells the year before, the cattle of that place came suddenly home from the woods affrighted, and some of them wounded. Warned by this infallible sign that Indians were nigh, the inhabitants of the place fled for refuge to the garrison house; and the next morning, an army of French and Indians, from 300 to 500 in number, commanded by Labocree, a Frenchman, and under him, by Moxus, Madockawando, Egeremet, and other Indian sachems, was discovered lurking around. To defend himself against this host, Capt. Convers had only fifteen men in the garrison, and as many more aboard of two sloops and a shallop in the river hard by, which had recently arrived from Boston with ammunition for the soldiers, and a contribution of supplies for the impoverished inhabitants of that vicinity. So weak and contemptible did the

Indians account these few opponents, and so sure were they of victory, that one of the first things they did after their arrival was to agree upon a division among themselves of the prisoners and of the spoils.

They then made a violent assault upon the garrison. But meeting there a hot reception, and having no cannon, they were glad to leave it for that time, and try their efforts upon the sloops. So narrow was the river or inlet where these lay, that the enemy could approach them within twelve yards of the land; and from hence, behind a pile of plank, and a haystack fortified with posts and rails, they discharged their volleys upon them. By means, too, of fire arrows, they succeeded several times in setting the sloops on fire. But the sailors, "with a swab at the end of a rope tied to a pole, and so dipt into the water," contrived to extinguish the spreading flames; and, encouraged by their resolute commander, Lieutenant Storer, they made such stout resistance, that before night their assailants, disappointed, withdrew. But they soon returned, to try the effect of strata-gem and threatening. In the course of the night, they inquired of the men on board the sloops, Who were their commanders? And being answered, "We have many commanders," the Indians replied, "You lie; you have none but Converse, and we will have him too before morning." But morning arrived, and found Convers still alive and well within the walls of Storer's house. On that morning, by daylight, the Indians commenced preparations for another assault upon the garrison. They began to march towards it in a body, with great display; and so terrific was their appearance, that one of the garrison ventured to suggest the expediency of a surrender. But Captain Convers, rendered indignant by such a proposal, "vehemently protested that he would lay the man dead who should so much as mutter that base word any more." When the Indians had come within a short distance from the garrison, they raised a shout that caused the earth to ring: and crying out in English, "Fire, and fall on, brave boys," they all, being drawn into three ranks, fired in a body at once.

But, violent as this onset was, Capt. Convers was prepared to

meet it. His men were all ready, waiting his commands; and the female inhabitants of the town, who had fled to the garrison for protection at the approach of the enemy, were not only active in handing ammunition to the men, but several armed themselves with muskets, and discharged them. Capt. Convers had given orders to his men to refrain from firing till they could do it to most advantage; and, when they came to discharge their artillery at his word, such was the execution done, that many of the enemy were swept down before them, and many others were constrained to flee. Baffled in this, their second attack upon the garrison, the enemy now renewed their attempts upon the sloops. They constructed a raft, eighteen or twenty feet square, which they loaded with combustible materials, and then towing it as near as they dared, set fire to it, and left it for the tide to float it towards the sloops. And now the men on board, perceiving their imminent danger of perishing by fire, commended themselves to God for help. And suddenly, it is recorded, the wind shifted, and the raft was driven upon the opposite shore, and so much split as to let in water, with which the fire was quenched. By this time, the enemy's ammunition was nearly exhausted, and numbers of them disheartened with their ill success, began to draw off. The rest, after some consultation, thought best to send a flag of truce towards the garrison advising them to surrender. But Capt. Convers sent them word, that "he wanted nothing but for men to come and fight him." The Indians replied, "Being you are so stout, why don't you come and fight in the open field, like a man, and not fight in a garrison like a Squaw?" The Captain rejoined, "What a fool are you! do you think thirty men a match for five hundred? No: come with your thirty men upon the plain, and I'll meet you with my thirty as soon as you will." Upon this, the Indian answered, "Nay, mee own, English fashion is all one fool; you kill mee, mee kill you! No: better ly somewhere, and shoot a man, and he no see; that the best soldier!"

With this, the Indian enemy, from *daring* Capt. Convers, had recourse to *coaxing* and *flattery*. But, finding him too wise to



trust the promises of insidious foes, and that all their devices to induce him to surrender, or to draw him from his stronghold, were ineffectual, they were thrown into a rage, and with a horrid imprecation declared, " We'll cut you as small as tobacco before to-morrow morning." But the only reply which the intrepid captain made to this vapoing threat, was, " to bid them come on; for he wanted work." The enemy themselves, notwithstanding their boast what they would do with him, came near him no more. Having now continued before the garrison and in its neighborhood forty-eight hours, and been disappointed in all their confident expectations, and defeated in all their efforts to get the dog Convers (as they had called him) and his men into their power, they first wreaked their vengeance upon all the cattle they could light upon, and cruelly tortured to death a poor unhappy captive they had taken on the morning they came to Wells, and then marched off, leaving some of their dead behind them, Labocree, their commander-in-chief, among the rest; thus giving cause of joy and thanksgiving unto God to the garrison, and to the country at large, for so wonderful a deliverance.

For this, his brave and successful action, Captain Convers was promoted the following year, by Governor Phipps, to the rank of a Major, and appointed to the command of all the Massachusetts forces then in Maine. Here, and in the Legislature, he still continued to serve his country during the remainder of the war: and shared at last in the honor of bringing it to an end. Towards the close of the year 1698, he and Colonel John Phillips, a member of the Council of the Province, with Captain Cyprian Southack, commander of the Province Galley, sailed from Boston for the Eastern country, intrusted by the Government with full powers for effecting a peace with the Indians. Proceeding to Casco Bay, they there met with the leading Indian sachems, and persuaded them, January 7, 1699, to accede to and solemnly subscribe a treaty, which was the same, in the main, with the one they had entered into at Pemaquid, but which they had broken, as they alleged, through the persuasion of the French. Peace had, previously to this, been made with the French by the treaty of Ryswick, 1697.

In 1699, the year in which peace with the Indians was con-



cluded, and in the four preceding years, and again in 1701, and the four following years, Major Convers was sent a member for Woburn to the General Court; and in three of those years, viz, 1699, 1702, 1703, he was chosen Speaker of the House. In 1706, he was again returned to the lower branch of the Legislature; but did not live to finish the term for which he had been elected. Being seized, apparently, with some sudden, violent sickness, death put an end at once to his usefulness and his life, July 8, 1706, in the 61st year of his age.

Major Convers married, January 1, 1668-9, Hannah, a daughter of Capt. John Carter. By her, he had nine children, six sons and three daughters. Four of these died in infancy or childhood, or in youth unmarried. Two of his sons, Robert and Josiah, the second son of the name, were men of influence and distinction in their day, and descendants of Josiah, of the third and fourth generations from his son Josiah, Jr., still live in Woburn, and maintain a highly respectable position and character in society.

While this distinguished citizen of Woburn was Town Clerk, he performed one piece of service, for which the town doth now, and ever will, owe him a grateful remembrance. After his accession to that office, observing that his predecessors had recorded the Births, Marriages and Deaths in Woburn upon sundry loose papers, which were then in a shattered and perishing condition, he procured a blank folio volume, well bound, at his own expense, and transcribed those Records into it, adding, in his own records of births, the names of both the parents, instead of the father only, as had previously been the custom. By this, his laudable care, and by the subsequent purchase of the new volume by the town, at the recommendation of his successor in the Clerk's office, Lieutenant Fowle, the valuable records of almost fifty years on the above mentioned topics, were preserved for posterity in a fair hand, and in a durable form, which otherwise had long since perished, or been scattered and lost.<sup>24</sup>

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<sup>24</sup> The original letters of Major Convers to Governor Joseph Dudley having been put into my hands by J. Wingate Thornton, Esq., of Boston, I have thought it might be gratifying to many of the citizens of Woburn to have copies of them presented in the Appendix; which see, No. VII.

## CHAPTER VI.

Seating the Meeting-House. — Location of the Two Thousand Acres. — Province Loan Money. — Woburn's Share of Lovewell's Fight, 1725.

It was observed in a former Chapter of this history, that seating the meeting-house, from time to time, became not unfrequently an occasion of disorder and contention. A memorable instance of this occurred in 1710. The work of repairing and enlarging the house of public worship the year before having been completed, it became necessary to seat it anew. Accordingly, at a general meeting, December 9, 1709, John Brooks, Sergeant Eleazar Flegg, Sergeant John Tidd, Sergeant George Reed, and James Fowle were chosen a committee for this purpose. But so irksome was this office accounted, and at the same time so thankless and invidious, that two of the persons nominated for it on this occasion, Messrs. Tidd and Fowle, immediately declined. To supply their places, Messrs. Peirson Richardson and Ensign Samuel Blogget, were then elected. But Mr. Blogget, signifying at once his unwillingness to serve, a vacancy was again made in the committee. This vacancy, the town did not attempt to fill; and the remaining four members went on to perform the work of their appointment. But in the discharge of their office, they were far from giving general satisfaction. At the time of their election, the town had instructed them to have respect, in their official labors, to three things; viz, to age, to what men had done towards building the meeting-house at the first, and towards its recent repairs and enlargement; and finally, to their proportion in the public charges.

But, in seating the people, the committee seem to have paid more regard to the last two of these qualifications than to the first; and to have preferred to the front seats in the temple the wealthy and liberal, though young, before the aged members of the church and community that were poor, and so of necessity

but slender contributors towards the cost of the late work upon the house of God. This manner of proceeding laid the foundation of much murmuring and discontent. At a meeting of the Selectmen, February 6, 1709-10, a petition was handed in to them, signed by about fifty-seven inhabitants, alleging that what the Seating Committee had done, in the fulfilment of their trust, was illegal, and greatly prejudicial to the peace of the town; and praying that the town might be called together for the choice of another Committee, who should perform the work anew. Two of the Selectmen were opposed to granting this petition, apprehensive of the difficulties which might ensue. But the other three were so far convinced of the necessity of the meeting petitioned for, that they gave orders for warning one to be held March 6th, the day for the annual choice of town officers, at 8 o'clock in the morning. By fixing upon this early hour for the meeting requested, the Selectmen who called it, doubtless intended to have the petition acted upon under their own supervision and authority, before a new choice of Selectmen was made. Accordingly, the day being come, and the town assembled at the hour specified, as soon as the meeting was opened, and a Moderator chosen, those three Selectmen, at the motion of many of the people, ordered the Moderator, Ensign John Peirce, to call for votes for the choice of a new Seating Committee. But this, he utterly refused to do; and the Selectmen, in consequence, commanded the Town Clerk to record his refusal. A motion was then made and carried, that the Town Clerk should record the reason which the Moderator had rendered for his refusal to make the choice of the Committee petitioned for, the first thing to be done on that occasion; viz: that he thought it most proper, that the choice of town officers, which was the regular business of the day, should be first attended; and then, if there were time left, the petition might be acted upon by the town, if they saw fit.

The consequence of this altercation was, that no seating committee was chosen at this time, and the people were obliged to acquiesce for the present in the arrangements of the committee appointed at the former meeting. Still, the dissatisfaction with

those arrangements did not cease. At a meeting of the Selectmen May 7, 1711, a petition was presented them from several of the inhabitants, declaring themselves "much aggrieved at the disorderly seating of many persons, in the House of God, the aintient behind the backs of the youth, which they apprehended not to be according to the Law of God, which requireth the youth to rise up before the hoary head, and to honour the person of the old man:" and, therefore, the petitioners moved the Selectmen to call the town together, "to regulate such disorders, that so peace and order may be in the house of God."<sup>1</sup> In compliance with this request, the Selectmen directed the Constables, in warning a town meeting, May 18th, for the choice of a Representative, to give notice also, that at the same meeting some proper method would be considered for the redress of the irregularities complained of. At the meeting thus notified, the petition referred to was read, and some debate arising respecting it and the disorders alleged therein, it was moved by some, as a good expedient for remedying them, that the town declare the last seating of the meeting-house void. This question was put, and the majority voting in the affirmative, the last seating was annulled, and no provision being made at the same time for a new seating, it is presumed that the people, upon some acknowledged principles of propriety, seated themselves, and probably to better mutual satisfaction, than any committee, in the existing state of feeling, could have done it for them.

In view of this and similar contentions among our ancestors on this subject, we have cause of congratulation that houses of public worship at the present day are constructed, and seats assigned in them, on a plan which supersedes the need of a seating committee. It is readily granted, that respect is always and everywhere due to age, especially in the house of God, and were the floors of our meeting-houses now occupied with long seats, as of old, it might be justly regarded as a gross impropriety, and one that ought to be rectified, if aged and respectable, yet poor members of the church were seated behind the young, who had

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<sup>1</sup> Town Records, Vol. V., p. 185.



nothing but wealth and a large share in the public taxes to recommend them. But then, while the old custom prevailed, there would unavoidably arise cases, almost innumerable, of persons, whose respective claims to precedence it would be next to impossible to adjust with exactness. And the grievance springing from a supposed erroneous decision in such instances would, doubtless, be greatly increased by the prevailing sensitiveness in former days upon the subject of rank in society. The first settlers of New England were men to be ever deeply venerated for their piety, and their many sterling virtues. But they brought over with them high notions of family rank, and station. Such distinctions, the institutions and customs of the mother country had created and cherished; and under the influence of education and habit, our earliest ancestors here attached an inordinate importance to them themselves, and were jealous of any neglect of them by others. And while their descendants of the first and second generations had much degenerated, it is to be feared, from their praiseworthy qualities, they retained with little or no diminution their sentiments with regard to rank and condition in society. Many illustrations of this state of feeling, at the commencement of the last century, might be given were it necessary. But there is an anecdote showing its existence in Woburn and its vicinity at that period, which may not be amiss to relate. A tradition of unquestionable correctness states, that a certain lady, a daughter of a prominent family in this town, who was married and lived in Billerica, observing one of her sons connecting himself in marriage with a young woman whom she deemed to be of a family far inferior to her own, felt sufficiently chagrined at the circumstance, but thought best, for that time, to keep her feelings to herself. But, hearing afterwards, that another of her boys was following, in this respect, his brother's steps, she could forbear no longer, but vented her mortification with exclaiming, "One slice of the brown loaf to a family is surely enough."

In 1664, it will be recollected, the General Court made a grant to this town of two thousand acres of land, to be taken up wherever they could find it in this then wilderness, clear of any

prior claim.<sup>2</sup> Votes had been passed by the town at different times in relation to this grant; but fifty years were suffered to pass, before anything effectual was done towards its location. But, in 1714, the town took up this business in earnest. At a general meeting, May 11th, of that year, a committee was appointed to look out a place for the location of the 2000 acres formerly granted to the town. But that committee neglecting to fulfil their appointment, (possibly from an apprehension that in consequence of the long delay there had been on the part of Woburn, to lay down the land, some new authority from the Court had become necessary or expedient,) a committee of two, viz: Ensign John Peirce and Sergeant John Tidd, was chosen November 14, 1716, "to prefer a petition to the General Court, for the renewal of their grant."<sup>3</sup> Accordingly, a petition was addressed by these gentlemen to the Court, which was favorably accepted. The grant was renewed, and at the annual town meeting, March 4, 1716-17, Messrs. Ebenezer Johnson and Eleazar Flegg were chosen a committee to look out a place where they might take it up.<sup>4</sup> These gentlemen proceeded forthwith to the discharge of their commission. For the location of the tract of land in question, they pitched upon a place, called Turkey Hill, near Lancaster, west of Groton, and within the bounds of what was afterwards incorporated as the town of Lunenburg. Here, with the assistance of others whom they took with them from Woburn, and of a committee from Lancaster, they ran its lines, and established boundaries, which from time to time were subsequently renewed.<sup>5</sup>

Before the location and bounds of this grant were determined, it had been contemplated to sell it, and to let the money upon interest for the benefit of the town; and a committee had been appointed to carry this scheme into effect. But at a meeting, May 15, 1724, the proprietors voted that the land should remain for the present in the hands it was then in. They also forbade any one interested therein, and all others, to cut or carry

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<sup>2</sup> Town Records, Vol. I., pp. 29, 30.

<sup>4</sup> Town Records, Vol. V., p. 357.

<sup>3</sup> Town Records, Vol. V., p. 353.

<sup>5</sup> Town Records, Vol. VI., p. 20.

off from it either wood or timber; and chose Ensign Josiah Convers and John Russell as a committee to take it into their care, and to prosecute any who might trespass upon it.<sup>6</sup> In this condition, it continued about ten years. How it was ultimately disposed of, will appear in a subsequent chapter.

In 1721, March 31st, to remedy the scarcity of money then much complained of, and to facilitate the payment of taxes, the Legislature of Massachusetts, issued what was called, the £50,000 Loan. By this, was intended that amount in Bills of Credit, which were distributed among the several towns, according to the taxes they paid, and to be returned into the Province Treasury, within a limited time.<sup>7</sup> At a general meeting in Woburn, October 12, 1721, it was voted, that they would take their proportion of "the fifty-thousand pound" out of the public treasury, and would commit it to three trustees, to manage it as the town should direct, and to receive one-sixth part of the interest for their trouble. The persons chosen for this trust were, Major Eleazar Flegg, Mr. John Brooks and Capt. John Fowle; who were instructed by the town to let the money, in sums not less than ten pounds, nor greater than twenty pounds, to any one man; to let it at an interest of five per cent per annum, to be for the town's use; to keep it in their hands till the last of the following May; and that, if by that time, inhabitants of Woburn did not appear to take up the whole upon good security, to let it to any person in the County, who should offer landed or other security satisfactory to the trustees.<sup>8</sup> Woburn's share in this public loan was £624: and much to the praise of the trustees, it was managed by them on the town's behalf with entire fidelity. In volume VII., p. 2, of the Town Books are recorded five distinct receipts, acknowledging their payment of the principal into the Province Treasury, in five equal instalments of £124:16s. each; the first being dated July 29, 1726, and the last, July 29, 1730. And there is also upon record, in the same volume, page 1st, a long particular account of their disposal of the interest of this sum,

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<sup>6</sup> Town Records, Vol. VI., p. 196.

<sup>7</sup> Felt's Massachusetts Currency, p. 77.

<sup>8</sup> Town Records, Vol. VI., pp. 130, 131.

agreeably to vote of the town, for the payment of pauper bills, county tax, representatives, school-masters and hire of preaching, during the frequent indisposition of Rev. Mr. Fox. Never, apparently, was a public trust more faithfully discharged than this; never was there a happier illustration of following the Apostle's example in a like case, of "providing for honest things, not only in the sight of the Lord, but also in the sight of men."

But the town was not so fortunate in its investment, a few years afterwards, of its share in the £60,000 loan so called. The act of the Legislature granting this loan was passed early in the year 1728, and was styled "An act for raising and settling a public revenue for and towards defraying the necessary charges of the government, by an emission of £60,000 in bills of credit." "This was done to bring it within the words of the [king's] instruction, which restrained the governor from consenting to the issuing bills of credit, except for charges of government. The interest of 4 per cent, or £2400, was to be applied annually to the public charges, and gave colour for issuing the principal sum of £60,000."<sup>9</sup> This loan, like the preceding one, was distributed among the several towns in the Province, according to their proportion in the public taxes. The sum to which Woburn was entitled is not upon the Records of the town, but could not have been far from £750. At a general meeting in Woburn, April 4, 1728, it was voted "that the town would take their proportion of the Sixty thousand pound, provided the trustees would be bound to indemnify the Town."

At the same time, three trustees, viz, Samuel Richardson, Caleb Blogget, and John Fowle, were chosen to receive the town's part of this loan, and to let it out; and the Selectmen were appointed a committee to take security of them against loss by their means. It was also voted, that the trustees should not let more than £20, nor less than £10, to any one person; and should be allowed a sixth part of the interest for their compensation.<sup>10</sup> No mention is made in the Record of the rate of

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<sup>9</sup> Felt's Historical Account of Massachusetts Currency, p. 84.

<sup>10</sup> Town Records, Vol. VI., p. 347.



interest to be demanded. But as four per cent of it was to be paid annually into the Province Treasury, and a sixth part of it was to go to the trustees, it appears evident that the money was to be let at the rate of six per cent interest, and that the remaining sixth part was to go towards defraying town charges.<sup>9</sup> No account is to be found in the Records of the manner in which either the principal or interest of Woburn's share of this loan was at any time disposed of; and six years passed away, from the time the town voted to accept it, before any inquiry was instituted as to the manner in which it was managed. At a general meeting, May 16, 1734, a committee of three was chosen to reckon with the trustees "about the lone money of the first and second Banck,"<sup>11</sup> and to give an account of their doings at the next annual meeting in March.<sup>11</sup> But no Report of this committee is upon record; and four years more rolled on before the town awaked to a proper sense of its responsibility on this subject, and to a suitable care for its own security. At a meeting of the freeholders and other inhabitants, November 20, 1738, they chose a committee of three, viz., Messrs. William Tay, Benjamin Johnson, and Samuel Eames, whom they fully authorized "to reckon, receive, and recover in the Law, for the town's use, all such sum or sums of Province Bills as are due from Capt. John Fowle, Mr Samuel Richardson and Capt. Caleb Blogget, as trustees for the town for the £60,000 loan . . . and also to see that the trustees pay the full parte of said money, that is due to the Province Treasurer, into the Treasury; and also to see that the town have the parte that is due to said town": and to make return of their proceedings at the next general town meeting after the May meeting ensuing.<sup>12</sup>

But before the meeting here designated (which was not held till December 28, 1739,) arrived, Woburn's proportion of the above named loan, or a part of it, was called for into the public treasury; and the sum demanded not being forthcoming from the trustees, the town was obliged to provide for the deficiency. A "Loan Tax," so called, of £250 7s. 6d. (which was probably

<sup>11</sup> Town Records, Vol. VII., p. 113.

<sup>12</sup> Town Records, Vol. VII., p. 286.

about one third part of the whole sum received by the trustees) was assessed upon the inhabitants, February 13, 1739, to be collected and paid by the Constables "unto the Province Treasurer, according to the direction of his Warrant."<sup>13</sup> This sum now became due from the trustees to Woburn, instead of the Treasurer of the Province; and the town seemed determined to recover it, if possible, together with the proportion of the interest of the loan to which it was entitled, but which appears to have been still unpaid. At a meeting, December 28, 1739, it granted anew to the Committee appointed November 20, 1738, full power and authority to demand, and "to recover in the Law all such sum or sums of this Province's Bills of Credit as are due to the Inhabitants of Woobourn from Mr Samuel Richardson, Capt. John Fowle and Capt. Caleb Bloggett, as they are Trustees for said Town for their part of the Sixty Thousand Pound Loan; and the same to pursue to final judgment and execution."<sup>14</sup> At a subsequent meeting, May 4, 1741, two members of this committee, viz: Lieut. Samuel Eames and Mr William Tay, were re-appointed "to demand and receive the interest of the Loan Bills of Credit, due to the town from Capt. Caleb Bloggett and Mr Samuel Richardson; and to prosecute that affair in the Law to final judgment, if need be."<sup>15</sup>

And finally, at a meeting, May 7, 1742, in acting upon an article in the Warrant, to "consider whether the Town will remitt all or any part of the interest due from the Committee [Trustees] about the £60.000 Loan on a bond of forty two pounds?" it was decided in the negative.<sup>15</sup> This was taking a firm stand, on the part of the town. But what was the effect of these votes and resolutions, what was actually done by the Committee so amply empowered by them, and what was the result of the measures which the Committee adopted, the Records nowhere show. These, on all the points just named, maintain every where a studied silence. Considering, however, the respectable standing which the Trustees had hitherto occupied in society, the integrity which one of them had manifested as a trustee for

<sup>13</sup> Town Records, Vol. VII., pp. 323-330.

<sup>14</sup> Town Records, Vol. VII., p. 315.

<sup>15</sup> Town Records, Vol. VII., pp. 368, 399.

the management of the town's part of the preceding loan, the security which they were severally required to give the Selectmen to indemnify the town at their appointment to office, and the apparent omission of the Committee to use their power to commence a suit against them to recover what they owed to the town, it seems more probable than otherwise, that they gradually recovered from the embarrassments, under which they may have labored for a time, and eventually satisfied all the demands of the town against them, as trustees in the affair of the £60,000 loan.

It is lamentable to witness, or to have occasion to relate instances, even of temporary delinquency, in persons intrusted with public money. Such, of all men, are concerned to be faithful to their trust. Generally speaking, a man may do what he will with his own; but he has no right to be careless or lavish of that which is another's, or the property of the community. By unfaithfulness in the latter case, many are injured; many are aggrieved by his abuse of their confidence, and his own reputation and usefulness inevitably suffer. But in the instance before us, powerful reasons demand a charitable construction upon the conduct of the trustees, and forbearance in the sentence we pass on it. For many years, the General Court of the Province had been making issues in paper money from time to time, without any adequate provision to keep up its nominal value. The consequence was, a growing scarcity of specie, and a constant depreciation of their bills of credit. And yet, as these bills were almost the only currency in the market, the people were generally urgent in their calls for an increase of them, and a majority in the popular branch of the Legislature was always ready to gratify the wishes of their constituents in this respect. But the more bills of credit were multiplied, the more and faster did their value diminish: So that whereas, in 1710, eight shillings in bills were accounted equal in value to an ounce of silver, sixty shillings in bills were reckoned, in 1750, but an equivalent to the same standard value.<sup>16</sup> Hence arose

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<sup>16</sup> Felt's Historical Account of Massachusetts Currency, pp. 83, 135.

universal embarrassment in the community; and to several descriptions of people, severe and increasing suffering and distress. Avaricious administrators of estates lay under a strong temptation at least to detain the property of widows and orphans in their hands, and to pay it at last in depreciated paper; ministers and other salaried men were reduced to great straits, by being obliged to receive their salaries in a currency not worth half its original nominal value; and creditors were kept out of their honest dues altogether, or compelled to take up with what was far below their just claims. It is no groundless presumption therefore to suppose, that the delinquency of the trustees of Woburn in the present instance was owing to the failure of those to whom, with the town's authority, they had lent the town's loan money to fulfil on demand their obligations, rather than to any intention in the trustees to defraud. Nor is it likely that their case was a singular one. Were inquiry made, it would very probably be found, that the trustees for this loan, in a considerable number of our towns, even men of fair and unimpeachable characters, were rendered unable, by the difficulties of the times to meet, at once, their public responsibilities, and so, through dire necessity, and to their own grief, became, for a season, the unwilling instruments of trouble and loss to their fellow-citizens, and of disappointing the confidence reposed in them.

In 1725 occurred that bloody encounter with Indians, which is commonly distinguished as Lovewell's Fight. It took place, May 8, O. S., and its centennial anniversary was commemorated on the spot, in an address before a large and intelligent audience by Charles S. Davies, Esq., on the corresponding day in N. S., May 19, 1825. As a considerable number of the English, who fought in this engagement, were either inhabitants of Woburn, or had originated from it, and as the event of it was heard by the people of this place, at the time, with bitter lamentation or with deep concern, a particular account of it will not, I presume, be uninteresting to their descendants at this distant day.

During the war carried on by the English against the Abena-



quis or Eastern Indians, from 1722 to 1726, the government of Massachusetts, to encourage scouting parties for the defence of the frontiers, offered a bounty for Indian scalps and captives in 1723, which was raised the next year to £100 each. With a view to obtaining this bounty, as well as from motives of patriotism, Capt. John Lovewell, of Dunstable, raised a company of volunteers, and made two successful expeditions in pursuit of Indians in December 1724, and early in 1725. In the latter expedition of the two, he and his men killed ten Indians, whom they surprised lying round a fire asleep near a pond in Wakefield, N. H., since called Lovewell's Pond;<sup>17</sup> and bringing their scalps to Boston, they were paid £1,000 for them out of the public treasury.<sup>17</sup> Emboldened by this repeated success, he quickly after undertook a third expedition for the same object. On the 16th of April, 1725, he and forty-five others, inclusively of a surgeon and a chaplain, marched from Dunstable for the Indian villages at Pigwacket near the upper part of Saco River, once the residence of a powerful tribe of Indians, and since places of their occasional resort.<sup>17</sup> Before he had proceeded far, one of his men disabled by lameness, and another by an old wound, were dismissed and returned home. When they had reached the great Ossipee pond, another of the company falling sick, they halted, and built a small fort, which might serve as a place of refuge in case of necessity.<sup>17</sup> Here they left the sick man, and the surgeon to take care of him, and eight other men for a guard, together with a considerable quantity of provision for their own use, on their return.<sup>17</sup>

The company was now reduced to thirty-four, inclusively of the captain; and their names (excepting that of one who fled at the beginning of the fight, which it was therefore thought best to consign to oblivion) were as follows: viz, Capt. John Lovewell, Lieutenants Joseph Farwell and Jonathan Robbins, Ensign John Harwood, Sergeant Noah Johnson, Robert Usher and Samuel Whiting of Dunstable; Ensign Seth Wyman, Corporal Thomas Richardson, Timothy Richardson, Ichabod Johnson and

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<sup>17</sup> Belknap's *New Hampshire*, in one vol., pp. 209, 210, etc. See also Hutchinson's *History*, Vol. II., pp. 314, 315.

Josiah Johnson of Woburn; Eleazar Davis, Josiah Davis, Josiah Jones, David Melvin, Eleazar Melvin, Jacob Farrar and Joseph Farrar of Concord; Mr Jonathan Fry of Andover, Chaplain; Sergeant Jacob Fullam of Weston; Corporal Edward Lingfield of Nutfield, now Londonderry; Jonathan Kittredge and Solomon Keyes of Billerica; John Jefts, Daniel Woods, Thomas Woods, John Chamberlain, Elias Barron, Isaac Lakin and Joseph Gilson of Groton; and Ebenezer Ayer and Abiel Asten of Haverhill.<sup>17</sup> Pursuing their journey northward, about twenty-two miles in a direct course, but forty miles by the indirect road they are supposed to have taken, they came to a pond near the Pigwacket villages by the Saco, and now within the township of Fryburg, by the side of which pond they encamped.<sup>17</sup> On Saturday, May 8 (the day so fatal to many of them—so full of peril to them all), very early in the morning, while they were at prayers, they heard a gun discharge; and, not long after, they espied an Indian standing on a point of land, which ran into the pond, more than a mile distant. This point was a noted fishing place: and, at the present day, there seems good reason to believe that the Indian they observed was not stationed there with any insidious design, but was entirely ignorant of there being any English in the neighborhood, and that the gun which they heard, he had fired at a flock of ducks.<sup>17</sup> But Captain Lovewell and company had been alarmed the night before by sundry noises, which they had attributed to enemies; and now the sight of this solitary Indian confirmed them in the persuasion that their suspicions had been well founded; that a party of the enemy was lying in wait between him and them; and that he had been set where he stood for a decoy to draw them that way. Accordingly, a consultation was held by Captain Lovewell with his men, whether they should attempt a retreat, or venture to face and fight an enemy, whom they could not expect, as they had hoped, to take by surprise. Their answer generally was, "We came out to meet the Enemy; we have all along prayed God we might find 'em; and we had rather trust Providence with our lives, yea, die for our country, than try to return, without seeing them, if we may, and be called cowards for our

pains.”<sup>16</sup> Upon receiving this bold reply, the captain at once decided, though with some misgivings, and, apparently, against his own judgment, to go forward : and, still supposing the enemy to be before him, he ordered his men to lay down their packs where they were, that they might be as free from incumbrance as possible ; to march with the utmost circumspection, and in perfect readiness for an assault at an instant’s warning.

But, while Capt. Lovewell, with his men, was moving cautiously onward, expecting that his wily foes lay concealed in his *front*, they were in reality gathering and laying wait for him in his *rear*. For it so happened, that in his march he crossed a carrying place, to which, presently after he left it, came two parties of Indians, with Paugus, a noted chief, and Wahwa at their head, who had been scouting down Saco river, and were now on their return to the lower village of Pigwacket, situate upon a meadow by the Saco, about a mile and a half from the pond.<sup>17</sup> These Indians, perceiving the tracks of Lovewell’s company at the carrying place, traced them back to their packs, which they immediately seized upon and removed for their own use ; and ascertaining by counting them, that their owners were fewer in number than themselves, they skulked in ambush hard by, and watched for their return. In the mean while, as Capt. Lovewell and men were marching round the pond, to come at the place where they had seen the Indian standing, they met him returning by another path to the village, with his game and two fowling pieces in his hands. Several of the company fired upon him, and he returned the fire, and mortally wounded Capt. Lovewell, it was supposed, though he made but little complaint, and was able to keep on his march. Ensign Wyman then fired and killed the Indian ; and another took his scalp. Having discovered no enemy in their march, as they had anticipated, the company now bent their way back toward the place where they had left their packs. But, when they had reached the spot, and while they were looking for their baggage, which had been removed, (it being about 10 o’clock in the forenoon) the Indians

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<sup>16</sup> Historical Memoirs, etc., by Rev. Thomas Symmes, of Bradford.

rose in two bodies in their front and in their rear; and, with a hideous yell, ran towards them with their arms presented. The English likewise instantly presented arms, and ran to meet them. Both parties fired when they had come within a few yards of each other; and many of the Indians were killed at once, while the English, most of them, escaped the first shot unhurt. But so superior were the Indians to the English in respect to numbers, that nine of the latter were slain quickly after. These were, Capt. Lovewell, Sergeant Fullam, Ensign Harwood, John Jefts, Jonathan Kittredge, Daniel Woods, Ichabod Johnson, Thomas Woods, and Josiah Davis. Three also were badly wounded, viz: Lieut. Farwell, Lieut. Robbins and Robert Usher; and the rest, perceiving the Indians were endeavoring to surround them, retreated to the pond, which now covered their rear, while they were in some measure sheltered in other quarters by a few large pine trees, and by a rocky point running into the pond.

In this position, under the direction of Ensign Wyman, upon whom devolved the command after Capt. Lovewell was killed, and the two Lieutenants, Farwell and Robbins, were disabled by their wounds, they maintained a sharp, resolute contest till about night. To intimidate them, the Indians kept up a constant howling like wolves, and barking like dogs, and all manner of hideous noises; but the English answered them only by frequent shouts and huzzas, such as they had made at firing their first round. At one time, some of the Indians holding up ropes to them, proposed to them to ask for quarter, but they spiritedly replied, they would take none but at the muzzle of their guns. Notwithstanding their inferiority in number to the Indians, and the faintness they experienced for want of food, of which they had taken none since early in the morning, they continued fighting courageously as men resolved to die rather than yield.

It was apparently during the afternoon fight, that Paugus, a noted Indian chief, was killed by John Chamberlain of Groton, who knew him. In the engagement, their guns having become foul, they both went to the pond about the same time to cleanse them, and there met. The following lively description of their



encounter, confirmed in the main by tradition, though embellished probably by fancy in some of its minor circumstances, is quoted by Lemuel Shattuck, Esq., in his *History of Concord*, from the "*Philadelphia Album*," in 1828.

"They slowly and with equal movements cleansed their guns and took their stations on the outer border of the beach. 'Now, Paugus,' said Chamberlain, 'I'll have you;' and with the quickness and steadiness of an old hunter, sprung to loading his rifle. 'Na, na, me have you,' replied Paugus; and he handled his gun with a dexterity that made the bold heart of Chamberlain beat quick, and he almost raised his eyes to take his last look upon the sun. They rammed their cartridges, and each at the same instant cast his ramrod upon the sand. 'I'll have you, Paugus,' shouted Chamberlain, as in his desperation he almost resolved to rush upon the savage, with the breech of his rifle, lest he should receive his bullets before he could load. The woods across the pond echoed back the shout. Paugus trembled as he applied his powder-horn to the priming; Chamberlain heard the grains of his powder rattle lightly upon the leaves beneath his feet. Chamberlain struck his gun breech violently upon the ground—the rifle primed herself, he aimed, and his bullets whistled through the heart of Paugus. He fell, and as he went down, the bullet from the mouth of his ascending rifle touched the hair upon the crown of Chamberlain, and passed off without avenging the death of its dreadful master."<sup>19</sup>

The fight was maintained with great obstinacy and resolution on both sides; and continued, with but little intermission, about ten hours. Shortly after sunset, the Indians withdrew, being the first to desist and quit the ground. They carried with them their wounded and most of their dead; and left the bodies of Lovewell, and the others whom they had killed at the commencement of the action, unscalped; and so much had they suffered in the fight, through the firm resistance and skilful manœuvring of the English, that they went off with greatly reduced numbers. In accounts subsequently received, it was stated, that "they were

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<sup>19</sup> Shattuck's *History*, p. 69.

seventy in the whole, whereof forty were said to be killed on the spot, eighteen more died of their wounds, and that twelve only returned."

About midnight, after the moon had risen, the remnant of Capt. Lovewell's company, who were able to travel, withdrew from the field, and began their march towards the fort, which they had built in coming, for a refuge. They left behind the bodies of their nine companions who were killed at the commencement of the engagement; also Jacob Farrar, who was just expiring; and Lieut. Robbins and Robert Usher, who were mortally wounded, and unable to accompany them. At parting, Lieut. Robbins requested them to load his gun, and leave it with him, saying, "The Indians will come in the morning to scalp me, and I'll kill one more of 'em, if I can." They complied with his request: but the Indians do not appear to have returned to the ground; and his body and those of the other two were shortly after found dead, and lying, apparently, where they severally breathed their last. They who marched from this fatal spot were twenty in number, of whom eleven had been badly wounded. But their troubles did not cease upon quitting the field of battle. They suffered extremely from hunger; their provisions having fallen into the hands of the Indians on the morning of the attack.

They had proceeded but about a mile and a half in their way, when four of them, viz: Lieut. Farwell, Mr. Frye, Eleazar Davis and Josiah Jones, were compelled, by the anguish of their wounds, to stop, receiving encouragement from the rest, that as soon as they reached the fort, they would send some of the guard they had left there, to their assistance. Shortly after, on coming to a thick piece of woods, the fear of making a track, by which the Indians might discover and follow them, led the remainder of this little band to separate into three divisions, and one of these divisions consisting of Ensign Wyman and four others, being actually pursued by three Indians to a considerable distance, Elias Barron, an individual belonging to it, went astray from his companions; and, though his gun case was found afterwards by the side of Ossipee river, yet he himself was never more

heard from. The other two divisions, eleven men in all, at length recovered the fort. But to their surprise and grief, they found it abandoned by those whom they had left there, who had been frightened away by a terrific report brought them by the nameless deserter, who had basely run from his post, and forsaken his friends, when they most needed him, at the commencement of the battle. Here, however, they were presently rejoiced by the arrival of Solomon Keyes, who was not with them when they began their march from the battle ground, and who had been preserved to see them by means truly astonishing, as well as unexpected to himself. His report was, that, on the day of battle, after continuing to fight till, through loss of blood from three wounds he had received, he could stand no longer, he crawled to Ensign Wyman, and told him, "He was a dead man: But (says he) if it be possible, I'll get out of the way of the Indians, that they mayn't get my scalp." In his efforts to reach a place where the Indians would not discover him, he lighted, providentially, upon a canoe in the pond: and, rolling himself into it, he was driven by the wind a considerable distance towards the fort; and, then, being wonderfully strengthened, he was enabled to perform the rest of the journey on foot, and so as to come to the fort about the same time that the eleven just referred to did.<sup>20</sup> And now these twelve men, having refreshed themselves with provisions, which they found at the fort, proceeded to Dunstable, where they arrived, May 13, at night, being the fifth day after the engagement. On May 15, they were rejoined by Ensign Wyman and three of his party. By him they were told that they had not tasted food of any sort from Saturday morning, the day of the fight, till the Wednesday following: when two mouse-squirrels, which they caught and roasted whole, seemed a delicious morsel to them; and that, afterwards, partridges and other game which they killed, comfortably supplied their wants the rest of their journey.<sup>20</sup>

In the mean while, their four companions, whom they had left behind shortly after commencing their march from the battle-field, waited patiently several days, in hope of receiving the

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<sup>20</sup> Symmes' Memoirs, etc.



assistance from the fort which they had encouraged them to expect, but which they failed to send them, in consequence of their finding the fort deserted. But at length these four forsaken ones, giving up the prospect of help in despair, set out themselves on their way homeward, though their wounds had become corrupt for want of dressing, and they themselves were almost famished with hunger. Two of them, Davis and Jones, after acute suffering, succeeded in their attempts to reach the English settlements, the former coming in at Berwick, the latter at Saco. But the effort proved too great for Lieut. Farwell and Mr. Fry. According to information subsequently given by Davis, who kept with them both as long as they were able to travel, Fry first gave up; but Farwell held out several days, till he had come within a few miles of the fort, and they both doubtless died in the places where they were severally left by Davis, being never seen or heard from more. Both these gentlemen were very highly esteemed, and their deaths were deeply lamented.

But there was something peculiarly affecting in the circumstances of the death of Mr. Fry, the chaplain. He was the son of Mr. James Fry, of Andover, was graduated at Harvard College, 1723; and at his decease had a journal, which he kept of the expedition, in his pocket. He had much endeared himself to the company, both by the excellency of his devotional performances as chaplain, and also by his personal courage and readiness to share with them in their dangers and hardships. In the afternoon of the day of battle, he received a severe wound fighting with the rest; and, being disabled by it from further active service, he was repeatedly heard praying aloud, that God would preserve and prosper his brethren in arms, in their then sharp conflict. After the fight had ceased, he travelled with the rest a little way towards the fort; and, then, with Farwell, Davis, and Jones, was left behind, being unable to go any further. Here he stayed with them several days, looking in vain for help from the fort; and then set forward in company with them again. But, after travelling several miles with them, perceiving his strength fail him, and his end draw near, Mr. Fry



lay down, and, addressing Farwell and Davis, desired them not to wait for him, for that he felt himself to be a dying man, and should never rise any more. He likewise charged Davis, if God should spare his life to get home, to go and tell his father, "*that he expected in a few hours to be in eternity; and that he was not afraid to die.*"<sup>20</sup> This is the last that is known of this good man. He probably breathed his last in the place and posture in which his companions left him. No monument marks the spot where his untimely decease took place, and where his remains rest. But an elm tree, which he planted with his own hands before his father's door in Andover, still lives, or did recently, and will be, while it stands, a memorial of him.

Such was the issue of this disastrous conflict. Twelve of our men lay dead or dying on the field of battle: two were left in their retreat to die of their wounds in the wilderness; and one went astray, and was never after heard of. Of the thirty-three English who engaged in the fight, only eighteen lived to return to their families: and of these, only nine, viz., Ensign Wyman, Edward Lingfield, Thomas Richardson, David Melvin, Eleazar Melvin, Ebenezer Ayer, Abiel Asten, Joseph Farrar, and Joseph Gilson, escaped any considerable injury. The other nine, viz., Sergt. Noah Johnson, Timothy Richardson, Josiah Johnson, Samuel Whiting, John Chamberlain, Isaac Lakin, Eleazar Davis, Josiah Jones, and Solomon Keyes, were badly wounded, and some of them were made cripples or invalids for life.

The report of this fight and its lamentable result excited deep concern, as well as sympathy for afflicted survivors, throughout the community. In a message from Lieut. Governor Wentworth of New Hampshire to the House of Representatives there, May 17, 1725, he thus alludes to this melancholy affair. "I received an express from Lieut. Governor Dummer, giving an account that Capt. Lovewell met a party of Indians at or near Pigwacket, which broke Capt. Lovewell's company in pieces. I have sent fifty-two men, under command of Capt. John Chesley, to make the best of his way to Ossapy and Pigwacket, and thence make diligent search for Capt. Lovewell's fort, &c., and to relieve any wounded men they may meet in their way thither or

elsewhere." The House, in their answer, May 22, say: "As for the misfortune of Capt. Lovewell and his men, we desire to be humble before God for so great a frown of his Providence, and thank your Honour for sending a company for the relief of any that may be yet alive." But the company of men sent on this benevolent errand by Lieut. Governor Wentworth, some how or other, missed their way, and never reached the scene of the engagement. But Col. Tyng of Massachusetts, with a company of men from Dunstable, went to the spot, and there found and buried beneath an aged pine the twelve men of ours that had been left there, dead or dying, on the night after the battle, and carved their names on the neighboring trees. He also discovered there three graves, one of which being opened was found to contain the body of Paugus, the Indian chief, killed by Chamberlain, as above related. Rev. Dr. Belknap, who visited the place in 1784, observes in a note to his *History of New Hampshire*,<sup>21</sup> that "the names of the dead, on the trees, and the holes where balls had entered and been cut out, were [then] plainly visible. . . . The trees had the appearance of being very old, and one of them was fallen."

The intelligence of Lovewell's fight was heard at Woburn with bitter mourning and lamentation. Inclusive of Sergt. Noah Johnson (a native of Woburn, though then an inhabitant of Dunstable) six of her sons, belonging to three of her most numerous and respectable families, and four of them grandsons of Maj. William Johnson, had been engaged in it. Of these six men, three were wounded, and one slain. The wounded persons, Timothy Richardson, Noah Johnson and Josiah Johnson seem all to have ultimately recovered. But the death of Ichabod Johnson, who fell in the beginning of the battle, proved too hard a stroke for his fond father. Capt. Edward Johnson, born March 19, 1658, was the second son of Maj. William Johnson, and a grandson of Capt. Edward Johnson, one of the principal settlers of the town, whose name he bore, and who remembered him in his will. He lived about half a mile from where Burlington meeting-house was afterwards built, in a house

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<sup>21</sup> Belknap's *New Hampshire*, p. 212, note.

on the most easterly path to Shawshin, now the road to Bedford, opposite to Mr. Alfred B. Shaw's, the cellar of which was, till recently, visible; and through life he stood high among his fellow-townsmen, in reputation and usefulness. He was many years one of the Selectmen of Woburn; its representative to the General Court in 1700, and about 1720<sup>a</sup> was chosen a deacon of the church. He was also a gentleman of handsome property for that day; and was blessed by his first wife, Sarah Walker, with seven children, and with two by his second wife, widow Abigail Thompson, whose maiden name was Gardiner. But of these nine children, though all were deservedly dear to him, Ichabod, the youngest son by his first wife, appears to have been his Benjamin, the darling of his heart; and when the news of the sudden, bloody death of this favorite child, reached his ear, he was so overcome by it, as that his gray hairs were brought quickly down with sorrow to the grave. Neither honor, nor wealth, nor any worldly blessing could now yield him consolation or support. His surviving sons and daughters, his numerous relatives and friends, all rose up to comfort him, but in vain. Even that holy religion which he professed (for want doubtless of a due application on his part of its blessed truths, promises and exhortations to his own case) failed to minister its soothing, healing balm to his wounded spirit. He seems to have imagined, that with Ichabod the glory of his house had departed (as the name denotes); and to have sunk in grief and despondency. Before three months from the death of his son had fully elapsed, the father went down to the grave mourning. He died August 7, 1725, in the 68th year of his age; and as a venerable granddaughter of his (Miss Abigail Johnson) once told me, he died of a broken heart.

The Legislature of Massachusetts gave prompt and substantial evidence of sympathy for these unfortunate soldiers and their heirs. Soon after the battle, the widow of Capt. Lovewell petitioned, that the Province would allow her for what he paid for the supplies of the men who accompanied him. To this, the

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<sup>a</sup> Compare Town Records, Vol. VI., pp. 67, 78.

Court agreed; and gave her assurance, that when they came to reward those who fought in the battle, they would consider her case more particularly. Accordingly, June 17, 1725, they voted to allow Capt. Lovewell and company or heirs, £300, for the scalps of the three Indians killed (doubtless those whose graves were found by Col. Tyng), though the scalps were not produced, as the law required; also, £30 to be paid to or for each of the thirty-three men who had fought in the battle, amounting in all to £990; also, £210 to the heirs of the six men killed, Capt. Lovewell's portion to be £60, the rest £30 apiece. By the six men killed, referred to in the last donation, were unquestionably meant the six officers who were killed in the battle, or died quickly after of their wounds, viz: Capt. Lovewell, Lieuts. Robbins and Farwell, Ensign Harwood, Sergt. Fullam, and the Chaplain, Rev. Mr. Fry. They also engaged with regard to the wounded, that the subject of paying their physician's bills, and of granting them pensions out of the public treasury, should be considered the next session.

The result of their deliberations on this question appears to have been in favor of the unfortunate men concerned.<sup>22</sup> And

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<sup>22</sup> "1726, June 14. A Petition of Josiah Johnson of Woburne, shewing that the wound he received in the late Battle of Pigwackett is now open, and that he has expended since last November £4:14s. in order to get a cure, Praying the compassionate consideration of the Court for *such further allowance* in the Premises, as to them in their Wisdom shall be thought meet:

"Read and committed to the Committee for Muster Rolls.

"June 16. Mr Lewis from the Committee for Muster Rolls Reported on the Petition of Josiah Johnson, as Entred on the 14th, which was Read and Accepted; and Resolved that the sum of Eighteen Pounds Fourteen Shillings be allowed and paid out of the Publick Treasury to the Petitioner Josiah Johnson, in Answer to the said Petition: viz. £4:14s to discharge the Doctor's Bill, the remaining £14 in Consideration of his Pain, and Loss of Time, and Inability for Labour. Sent up for Concurrence." — *Votes of Representatives.*

In December of the same year, in answer to the Petition of Timothy Richardson, another of the wounded men from Woburn, praying the Court for relief "in consideration of the Wounds he received in the Battle of Pigwackett against the Indian Enemy;" a Resolve passed the House (which was sent up, and was doubtless concurred in by the Council) granting five pounds to be paid him out of the public treasury. Similar grants



finally, the General Court, in 1728, made a grant of Suncook, now Pembroke, N. H., then conceived to be within the bounds of Massachusetts, to sixty persons, forty-six of whom were the survivors or heirs of those who were engaged in this fight with the Indians. Among the first settlers of this township was Sergt. Noah Johnson, who had been wounded in that engagement. He was a grandson of Maj. William Johnson, being the third son of his eldest son William and of his wife Esther Gardiner; and is remembered in his grandfather's will, dated April 2, 1700. He was born, 1699, at Woburn, or possibly at Charlestown, where his father, William Johnson, Jr., was living and wrought as a shipwright in 1698. At the time of Lovewell's Fight, he was a resident of Dunstable, whence he removed to Pembroke, after becoming entitled to a share in that grant, and there became a deacon of the church. When advanced in life, he moved his abode once more, to Plymouth, N. H., and there died, August 13, 1798, at the great age of 99 years, 6 months and 11 days, being the last survivor of that little band, who hazarded their lives in the service of their country in the fight at Pigwacket.

Before closing this article, some further notice seems justly due to Ensign Seth Wyman, who had the conduct of Capt. Lovewell's men the greater part of that eventful day. He was a grandson of Lieut. John Wyman, a man of wealth and distinction among the first settlers of Woburn, and the eldest son of Mr. Seth Wyman and Esther, daughter of Maj. William Johnson, his wife. He was born, September 13, 1686, probably on a farm in the westerly part of Burlington, given his father by his grandfather Wyman in his Will: and, January 26, 1715, [1715-6?] he married Sarah Ross, of Billerica. At Lovewell's Fight, he greatly distinguished himself by his self-possession, fortitude and valor. All his superior officers having been killed or mortally wounded early in the engagement, he had the com-

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were subsequently voted by the House to Josiah Johnson, whose wound appears to have been worse and more difficult to be healed than those of Richardson: the last as late as June 15, 1731. — See *Records of General Court*.

mand of our men almost the whole time of its continuance; and, by his prudent management and courageous example, he was doubtless, mainly instrumental, under God, for preserving so many of them as there were from being utterly cut off. Seeing them in danger of becoming dispirited in the contest, in view of the greatly superior numbers and other advantages of the enemy, he animated them to action (it was afterwards reported by Eleazar Davis, who was one of them), by assuring them "that the day would yet be their own, if their spirits did not flag"; and so encouraged were they by his exhortations, and so briskly did they fire in consequence, that several discharged their muskets "between twenty and thirty times apiece." Immediately upon his return, he was honored by Lieut.-Governor Dummer, then Commander-in-Chief of Massachusetts, with a Captain's commission. He had also presented him, in testimony of the public approbation of his valor, a silver-hilted sword. But he did not live long to enjoy his honors. To encourage volunteers to enlist against the Indian enemy, the General Court offered four shillings wages per day, in addition to the bounty of £100 for every scalp. Upon this, many enlisted, and marched under the command of Capt. Wyman and others. But the extreme heat of the weather, and the prevalence of the dysentery, prevented them from going far, and several of them died upon their return, Capt. Wyman among the rest, who deceased September, 5, 1725, before he had completed his thirty-ninth year. His widow survived him but little more than two years, dying November 5, 1727. Worthy descendants of the third and fourth generations from this worthy man are still living in Woburn and West Cambridge.

## CHAPTER VII.

Schools from 1690 till 1775, — Wages: Teachers: Master Fowle: School Houses: Moving System: Schools beside Grammar School: School Books: Contention about Masters, 1725.

IN the second chapter of this Work, notice was taken of the Schools in Woburn during the first half century from its incorporation. In this chapter, the consideration of this interesting subject will be resumed. It is proposed to give in it a somewhat minute and extended account of the condition and progress of the public schools in the town, from 1690 till the beginning of the Revolutionary War, in 1775.

At the commencement of the period above mentioned, in regard to women's schools, the same ten shillings, or rather six and eight penny per annum system, which had previously prevailed in the town, still continued. For instance, the Selectmen, say the Records, at a meeting of theirs, March 7, 1691-2, "sent to speak with Mrs. Walker in order to keepe a scoole for lesser children to learn them to read; and agreed with her to performe said servis, the Towne allowing her *in pay*, the sum of ten shillings per the year."<sup>1</sup> By pay, is here meant, country produce, as pork, Indian corn, rye, etc., upon which a discount was made in those days of 30 or 33 $\frac{1}{4}$  per cent for money. Mrs. Walker was the widow of Mr. Samuel Walker, the earliest progenitor in Woburn of that well known and highly respected family of the name, which has furnished the town with many valuable citizens, and the country at large with some of its most distinguished individuals. Leading a solitary life, this lady was willing to keep school, both for company and for employment's sake. She had served as a school teacher before, and living apparently in the centre of the town, she doubtless appropriated a room in her own house for a school-room. The good woman fulfilled the

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<sup>1</sup> Town Records, Vol. III., p. 157.

above engagement with the Selectmen ; and, two years afterwards, she was credited by Constable Ebenezer Johnson with seven shillings in money on her tax bill for her year's work,<sup>2</sup> the rent of her room being reckoned gratis. This must have been cold comfort to a widow's heart. Still, she ventured to try the business one year more. At a meeting of the Selectmen, May 7, 1694, they agreed, the Records state, "with Mrs. (Mistress) Walker to keep a scoole for the smaller sort of children, to learn them to read, for the year insueing; and the year to begin upon the first of Aprill last past; and she to have ten shillings in pay allowed her by the town for the same."<sup>3</sup> Accordingly, Mrs. Walker went on and completed this engagement, and at a final settlement between her and the town, the account stands recorded thus :

" The Widow Walker is Creditor :

" for schooling small children in the year 1694 until the first of Aprill 1695, according to agreement with her per the

Selectmen, pay, 10s : money - - - - - £00 :06 :8

" To Widow Walker Dr.

" her rate to Jams ffoull in money - - - - - £00 :02 :03

and to Ben. Simonds - - - - - 00 :03 :02

paid by James Simonds, Constable in 96 - - - - - 00 :01 :03

0 :06 :08."<sup>3</sup>

From this authentic document, it appears that this worthy woman, having waited for her wages a whole year from the time her work was done, received, after two years' taxes were deducted, the sum of one shilling and threepence in silver for her toil and pain in teaching a twelve-month all the little boys and girls in Woburn that were sent to her, their alphabet, or reading and spelling; reckoning her room for their accommodation as rent free. A fact like this can hardly fail to strike a modern reader with surprise. One would have supposed, that the least the town could have done in this case would have been, to set off her taxes for the use of her room in their service. No thanks to the Selectmen, that she did not starve long before the term of her engagement with them was half expired.

<sup>2</sup> Town Records, Vol. IV., p. 8,

<sup>3</sup> Town Records, Vol. IV., pp. 24, 28.



Notwithstanding the wide difference between the price of the necessaries of life at that day and this, it is plain she must have had other resources for a livelihood than school-teaching. Had she depended solely on this, she must obviously have soon been forced to relinquish it; or else, like the widow of Sarepta, the meal in her barrel, and the oil in her cruse, (to say nothing of her wood) must have been daily replenished by miracle.

Such was the condition of primary schools in Woburn at the close of the 17th century. Nor did grammar schools fare any better. The studies of such schools were then held in low estimation in the town; and but few, if any of its youth, were willing to attend to them. And hence, schools of this description were but inconstantly kept; and sometimes only after intervals of several years. From the appointment of Mr. Samuel Carter in 1686, as grammar school-master, and his failure to get scholars to teach, no attempt seems to have been made in Woburn to get up a grammar school again, till four years after. At a meeting of the Selectmen, March 3, 1689-90, they agreed with Mr. Carter anew, "to record the Selectmen's acts about town affairs": and also "to keep a grammar school, paying him thirty shillings for his service."<sup>4</sup> But whether he kept the grammar school as agreed upon, and whether his success was any better than before, there is nothing upon record to show. The person next engaged for this office, was Rev. Jabez Fox, with whom the inhabitants agreed, at a town meeting, March 26, 1694, that "he should teach and instruct any children that belong to this town of Woobourne, to wright, and in the gramer, all and so many as shall be sent unto him now for one year insueing."<sup>5</sup> A similar engagement was made with him by the Selectmen, May 24, 1699, to keep school a year for instruction in grammar alone.<sup>5</sup> But in neither of these engagements is there any mention of compensation; and as none appears from the Records to have been ever paid, there is ground for presuming, that none was ever stipulated; and that Mr. Fox, anticipating he should have but few or no scholars to teach, demanded

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<sup>4</sup> Town Records, Vol. III., p. 138.

<sup>5</sup> Town Records, Vol. IV., pp. 22, 146.

nothing for his labor. The next year, at a general meeting, March 1, 1699–1700, a committee of three was chosen to inquire for, and treat with some suitable person to keep a grammar school in the town, and occasionally to assist the Rev. Mr. Fox in the ministry; and to make report to the town of their doings herein, before they agreed with the man.<sup>5</sup> But nothing was done to effect by this committee in fulfilment of their commission; and, within three months from their appointment, the town was presented at the Court of Quarter Sessions, for want of a school according to law. Startled in view of a presentment for such a cause, the town, at a general meeting, May 31, appointed Maj. William Johnson and Lieut. Josiah Convers a new committee “to agree with *Sir ffox* or any other gentleman upon as easy terms as they can,” to keep school in Woburn for four months, from June 10, upon trial.<sup>6</sup> Accordingly, this committee applied to “*Sir Fox*,” as Mr. John Fox, son of their minister, was called, in common with all graduates of Harvard College during the interval between taking their first, and their second or Master’s degree. With him they agreed to keep a grammar school in Woburn for four months, from the day named, for £9.<sup>6</sup> And so acceptable were his services during the term of his probation, that the inhabitants, at a general meeting, December 4, following, hired him, “by a very clear voat,” for this service again, for a year, to begin December 9, at a salary of £28 per annum.<sup>6</sup> These terms were of Mr. Fox’s own proposing; and the salary, a handsome one for that day. But it was larger than Woburn had ever as yet paid a master, or than it was willing the next year to grant him again, especially as he had but few pupils to instruct. At a meeting, January 28, 1701–2, the town being notified that they were then destitute of a school-master, voted to choose a committee to procure one forthwith, as the law requires, “provided that a suitable person can be found to officiate in that place, and will undertake the worke for the space of one yeare in, and for said town, for such a sum as may be agreed for, not exceeding twenty pounds, for one year.”<sup>7</sup>

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<sup>6</sup> Town Records, Vol. IV., pp. 165, 167.

<sup>7</sup> Town Records, Vol. IV., pp. 194, 200.

The committee chosen for this purpose reported to the town, March 2, 1701–2 following, that they had agreed with Mr. John Fox, to keep a grammar school for one year from February 2d, preceding; and that, for this service, they had engaged to give him "eighteen pounds certain; and in case he should have more worke in that place than he had the last year, he should have forty shillings more."<sup>7</sup> This report was accepted by the people; and yet, reluctant to pay their worthy school-master even this greatly reduced salary, less by more than a third than that which they had given him the year before, they voted at the same meeting, "that every person that shall send any children or servants to the above said schoole in Woobourne, shall pay in to the selectmen of said town three pence per week for every child or servant that is sent or comes to the said schoole; and the selectmen to improve all such sums so payd in to them towards the discharging the schoolmaster's sallery: but if any shall send their children to said schoole, that in the judgment of the selectmen are not well able to pay as above said, they have their liberty to send their children to said schoole at the publick charge of the town."<sup>7</sup> But this requirement of heads of families, who had children or servants to send to school, to pay tuition money, beside their proportion of the school tax, if indeed it were legal, seems never to have been executed. No mention is made, in the settlement of town accounts for that year, of the payment of any money to the Selectmen from the source here indicated; and the town appears never to have had recourse afterwards to this expedient for lightening the school rates of some, legally and equitably imposed, by laying a double portion of the expense of schooling upon others.

Mr. John Fox continued to keep the grammar school in Woburn quite up to the time of his ordination as their minister, in October 1703, when he became disqualified, by a law then recently enacted, for the office of a school teacher any longer.<sup>8</sup> At March meeting, 1703–4, the inhabitants chose Lieut. Josiah Convers, one of the Selectmen of that year, and Lieut. John

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<sup>8</sup> Colony and Province Laws, p. 372.

Carter, to inquire for and to hire a suitable person to keep a grammar school. This committee promptly attended to their duty in this matter: and not long after reported to the Selectmen, that, having made an unsuccessful application at the College, they had gone to Andover, and proposed to Mr. Dudley Bradstreet, of that town, to come and do the work of a school-master at Woburn for the present, till they could provide themselves with another; that Mr. Bradstreet had signified his agreement to their proposal under his hand; that he had been "personally at Woobourne at the time of Charlestown Court"; but no scholars presenting themselves as his pupils, he had returned to Andover again; and, having "had his expences borne, while he was in Woobourne, he had eighteen shillings in silver for a gratuity."<sup>9</sup> Here is another striking token of the indifference of the people of Woburn for grammar school instruction at the commencement of the last century. But why is it specified in the Committee's Report, that Mr. Bradstreet was at "Woobourne at the time of Charlestown Court"? He was doubtless here at that particular time by an understanding with the committee, and to answer the same purpose that another teacher, some thirty years afterwards was expected to, who had a consideration made him by the town "for standing in (as the Records express it) School master Two Courts."<sup>10</sup> In both these cases, and in others that might be named, the school committee (though men of good character and very respectable standing), wishing to save the town expense, and yet avoid a legal presentment, resorted to artifice. In making an agreement with a school-master, they would stipulate with him, that he must by all means be at Woburn, and keeping school, in Court time, even if he were to be off the very next week; fearing that otherwise, the Grand Jury, who were the eye of the county, might spy out the deficiency, and present the town; and that the Justices of the Sessions might impose on it

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<sup>9</sup> Town Records, Vol. IV., p. 255.

<sup>10</sup> "To Mr Ebenr Flegg in full for keeping Grammar School in the year past [1731] and standing in School Master two Courts, £13:10:0." — *Town Records*, Vol. VII., p. 140.



a fine of £20 for its default, as the law required. But, in having recourse to measures of this description, the committee cheated themselves, their children, and the town, more than they did the County and Province; and, for the sake of saving a few paltry shillings or pounds to the town, they defrauded the town and its children of one of the most indispensable means to the prosperity and happiness of both.

In stating, however, the above facts, showing the backwardness of the people of Woburn, at the beginning of the last century, to encourage public schools, it is by no means intended to insinuate that they were singularly faulty in this thing. The like delinquency, in other places, was at that time a matter of complaint. And, hence, the General Court felt it incumbent on them, in 1701, to pass an additional Act relating to Schools and School-masters. In the Preamble to that Act, they declare, that the observance of the "wholesome and necessary Law," then in force, requiring all towns containing fifty families to be constantly provided with a school-master to teach children and youth to read and write, and every town containing a hundred families to establish a grammar school in it, and to procure by suitable encouragement, a discreet person of good conversation, and well instructed in the tongues, to keep it, was "shamefully neglected by divers towns, and the penalty thereof not required, tending greatly to the nourishment of ignorance and irreligion, whereof grievous complaint is made."

And then, for the prevention of this evil, they proceed to enact, among other particulars, that the penalty for the non-observance of the law referred to, should be twenty pounds per annum, instead of ten, as it had been hitherto.<sup>11</sup> And this increased penalty proving insufficient for the end intended, the Court, in 1718, passed another additional act, in which, after setting forth, that "many towns," which were both obliged by law, and abundantly able to support a grammar school, chose to incur and pay the fine for the neglect of the law, rather than maintain one, went on to enact, that fine should be increased to

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<sup>11</sup> Province Laws, 1702, Chap. lxxxii., pp. 371-2.

thirty pounds, in the case of towns that had one hundred and fifty families, and to forty pounds in the case of those which had two hundred families.<sup>12</sup> No peculiar reproach then attaches itself to Woburn, on account of its occasional failure at that period to observe the law respecting schools and school-masters, or of its reluctant compliance with it. The delinquency complained of was a common one; and in view of the fact, it became an interesting inquiry, How we are to account for it? Whence proceeded the too general neglect at the commencement of the last century, suitably to encourage and cherish Common Schools, that far famed institution of our Puritan ancestors?

One reason of this neglect, it may be plausibly conjectured, was, that the generation then on the stage appreciated learning, and the means of acquiring it, at a much lower rate than their predecessors in general did. A considerable proportion of the first settlers of Massachusetts came to this country an enlightened people, and they were kept so by sitting under the ministry of men, who, generally speaking, were lights in the world, and whom for love, they had followed to these ends of the earth, that they might continue to enjoy the benefit of their instructions. From their pious and learned teachers, they had imbibed exalted conceptions of the importance of learning, as an excellent hand-maid of religion, and that high estimate of it which they had brought with them across the Atlantic they still retained amidst their numerous trials and hardships in this their adopted country. Hence, they could not endure the thought (to use an expression of their own), "that learning [should] be buried in the graves of [their] forefathers in church and commonwealth;"<sup>13</sup> but were earnestly desirous, by erecting the college, and founding common schools, to transmit the treasure to their posterity, as the best earthly legacy they could leave them. But the mass of their descendants of the two next generations seem to have been far more absorbed in earthly cares, and in pursuits merely secular, than their fathers were. As they had confessedly declined from the strict piety of their predecessors, so they appear to

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<sup>12</sup> Province Laws, 1718, Chap. cxxviii., p. 420.

<sup>13</sup> Colony Laws, Chap. lxxxviii., p. 186.

have had but a diminished sense of the importance of knowledge and learning, and hence were less solicitous about providing the means for educating their children in it.

Another reason seems to be, that competent instructors for grammar schools were then scarce; too few, to supply the wants of the whole community. This was a difficulty particularly felt at Woburn. At the commencement of the last century, recent graduates of Harvard College, though not a numerous body of men, were almost the only persons willing and qualified to teach schools of this description. And, as these few would naturally go where they found most encouragement, and as Woburn then too often made a point of engaging teachers who could be got for the lowest wages, the School Committees sometimes experienced great difficulty in procuring masters, even when they earnestly exerted themselves to do it. Take the following instance, particularly noticed in the Records.

“Friday the 3d of November 1710. The Selectmen of Woobourn met to consider how they might obtain a suitable person to keep a grammar schoole in said town, but found it very difficult to do [so] by reason that they heard that there was none to be had at Colledge: whereupon they appointed Ensign John Peirce to goe to Boston, and try if Dr Oaks his son,<sup>14</sup> or Mr. Kallender’s son<sup>15</sup> might be obtained for that end” etc.<sup>16</sup> “December the 8th, 1710. The Selectmen of Wooburn being met together, Ensign John Peirce made the following Return: that according to the Selectmen’s orders and appointment, he had been at Boston to speak with Dr Oaks his son, and Mr Callender’s son, and found that they were already improved, and so could not be obtained: and that he had made inquiry after some other suitable person to keep a grammar schoole in Woobourn, but could not hear of any to be had. Soon after, the Selectmen were informed, that it was probable, that Sir Wigglesworth<sup>17</sup> might be obtained to keep a grammar schoole for our town. Whereupon the said Selectmen appointed Lieut. John Carter to goe to Cambridge, and treat with him about that matter.

<sup>14</sup> Mr. Josiah Oakes, Harvard College, 1708, son of Dr. Thomas Oakes, of Boston.

<sup>15</sup> Mr. Elisha Callender, Harvard College, 1710, a son of Rev. Ellis Callender, minister of the Baptist Church in Boston.

<sup>16</sup> Town Records, Vol. V., p. 165.

<sup>17</sup> Edward Wigglesworth, Harvard College, 1710, and afterwards first Hollis Professor of Divinity there.

Accordingly, soon after, Lieut. Carter made return to the Selectmen, that he had been at Cambridge, and had had a discourse with Sir Wigglesworth with reference to keeping a grammar schoole in Woobourn; and that he the said Sir Wigglesworth did give some encouragement in the matter, but could not give a full answer until the beginning of the following week, and then appointed him to come again for an answer. Accordingly the Selectmen ordered Lieut. Carter to attend the time that Sir Wigglesworth had appointed to give his answer, and to wait upon him for it. But when the said Lieut. John Carter came to Cambridge at the time before appointed, he was informed that Sir Wigglesworth was engaged or gone to Casco Bay Fort to keep a schoole there; and there was no further hope of obtaining of him "

" After this, Mr John Turft [Tufts]<sup>18</sup> informed that Mr Recompence Wadsworth<sup>19</sup> had left the Schoole at Barnstable; and was in hopes we might obtain him to keep a Grammar Schoole in Woobourn. Whereupon the Selectmen appointed Lieut. John Carter and Mr Josiah Johnson to go to Boston, and discourse with said Mr Wadsworth on Monday the 11th. of December curreant, with reference to his keeping a Grammar Schoole in Woobourn. Accordingly on the 12th. curreant, agreement was made with the said Mr Recompence Wadsworth to keep a Grammar Schoole in Woobourn for the space of six months, and to begin the Schoole on the 18th. curreant, and so six months from that time, for the sum of twelve pounds, and his board found him free by the Town of Woobourn. Accordingly the said Mr Wadsworth came to Woobourn on Saturday the sixteenth day of the same month, and the Selectmen ordered James Fowle to board him upon the Town's accompt. But in case the said Mr Wadsworth should be called off from keeping said schoole by any other business within the said six months, [he is] to give the Town seasonable warning."<sup>20</sup>

Here was an instance in which the Selectmen, who were the School Committee for 1710, were obliged to despatch three of their number in succession upon four several journeys, two to Boston, and two to Cambridge, in order to obtain a person

<sup>18</sup> Of Harvard College, 1708; subsequently minister of Newbury.

<sup>19</sup> Son of Timothy Wadsworth, of Boston, and grandson of Capt. Samuel Wadsworth, of Milton; born 1688; Harvard College, 1708; died 1713.

<sup>20</sup> Town Records, Vol. V., p. 170.



suitable to keep the grammar school; and were repeatedly baffled in their expectations, and kept six weeks in suspense before they could secure a teacher to their mind, and get him on the ground. School-masters, or those who sought the employment, were not then to be met at every corner; nor was there a choice of them to be selected from applicants twofold, or even fourfold more numerous than the schools to be kept, as is often the case at the present day. Then, if a committee would obtain a well qualified master, they must, generally speaking, diligently search him out, go from town to town, far and near, and be willing to bear repeated disappointments, and still to persevere in their efforts, before they lighted upon a man who would serve their purpose. But so much difficulty as this, in obtaining a competent teacher, must needs have rendered the office of School Committee a burdensome one, and doubtless often operated as a hinderance or discouragement from duly attempting to fulfil it.

But the principal cause, it is apprehended, why towns were backward at the period mentioned, to sustain schools, or to provide for them competent instructors, was the scarcity of money, the burden of taxes, and the consequent general poverty of the people. Notwithstanding the issues of the mint in Massachusetts, which coined the famous New England shillings and pine tree money for about thirty-six years, from 1652, specie had become so scarce at the close of the 17th century, that many towns found it very difficult, if not impossible, to pay their taxes to the country, except in the produce of their soil, or in articles of their own home manufacture. Thus, Hingham was allowed the privilege, in 1687, of paying their taxes to government in pails;<sup>21</sup> and Woburn paid in part its County tax, for 1693, in shoes.<sup>21</sup> In 1685, the towns of Springfield and Suffield petitioned the Government, setting forth "the difficulty of their paying money taxes, which were assessed, beside those payable in grain." The former town desired Government "to receive their rates as formerly, in corne; and noe more require any money of your moneyless petitioners." And the inhabitants

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<sup>21</sup> Felt's History of Massachusetts Currency, p. 47. Town Records, Vol. III., p. 52.

of the latter town, say in their petition, "Doe not for Charitie's sake enjoyne us to pay one penny more in money. Let it be adjudged abundantly enough for us to pay henceforward our country's dues in Corne, when we can raise it, and are not forced to go to other towns to work for corne for our families." But not only was money scarce, but the public taxes were excessively burdensome. Notice was taken in a former chapter of the heavy taxes during Philip's war, in 1675-1676, and the distress occasioned thereby to the community. In 1690, to defray the public debt, contracted in the unfortunate expedition of that year to Canada, the government issued the first paper currency in this country.<sup>22</sup> And the next year, to discharge Woburn's proportion of this debt, a tax was assessed, in which every man's single rate was increased twenty-three fold;<sup>23</sup> and which amounted to the enormous sum, for that day, of £532 and upward.<sup>23</sup>

Other instances of very heavy taxes, imposed while the wars against the Indians and French in the reigns of King William III. and Queen Anne were going on, might be produced from the Records. No wonder then, that the people, ground down to

<sup>22</sup> Felt's History of Massachusetts Currency, pp. 49, 50.

<sup>23</sup> Town Records, Vol. III., p. 150. "August the 27. 1691. The Selectmen met to make the Country Rate for the year ensuing [present?]; the Commissioner [of the rate] and Constables also joining with them . . . . August the 31. 1691. The Selectmen met at the house of Israel Reed with the Commissioner and Constables, and finished the Country Rate which they had before begun: they then also writ out a List of the said Rate, and delivered it to the Commissioner, to carry to the Commissioners of the County, according to law.

"October the 5. 1691. The Selectmen met and perfected the Rate made for the raising of the 24 thousand pounds; and for the raising of the town's proportion in the said sum, every man's single rate were [was] 23 times doubled. October the 6. 1691. Delivered for Constable John Peirce at his house a List of his part of the 23 rates, containing the sum of £272:18:08. with a warrant under the hands of the Selectmen to gather the same. The same day abovesaid delivered for Constable John Teed at his house a list of his part of the aforesaid 23 rates, containing the sum of £259:05:06, with a warrant under the hands of the Selectmen to gather the same." The country rate assessed Sept. 30, 1689, was but little over £32. — *Town Records, Vol. III., pp. 132-135.*

the earth, as it were, by the public burdens, should feel unable, and at times disinclined to give due support to institutions, confessedly of the first necessity and importance. In 1704, a considerable number of the inhabitants of Woburn, it has been seen, remonstrated against granting at that time to Rev. Mr. Fox a fixed salary, for the express reason of the pressure of the war then carried on, and the weight of the taxes assessed to sustain it.<sup>24</sup> Much more likely then would they be, under such circumstances, to object to the expense of schooling, and at times be tempted to evade, if possible, the requirements of the law respecting it. In the condition they were then in, they were averse to bestowing the encouragement that was desirable, both upon the preaching of the gospel, and upon their public schools, not because they deemed those institutions of inferior moment, or grudged their expense, but because they were reduced to such straits, as that they could scarcely pay their taxes for their country's defence, and provide bread for themselves and families. And, accordingly, within a few years after, when they had become more numerous and able, and their taxes lighter, they immediately made more liberal grants for schools; and not only punctually paid their minister's stipulated salary, but year after year made voluntary additions to it, especially in seasons when provisions were unusually scarce and dear.<sup>25</sup>

The town being without a school-master the greater part of the year 1706, was presented for that deficiency, in September, at Cambridge Court; and the Selectmen were summoned to answer

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<sup>24</sup> Town Records, Vol. IV., p. 269.

<sup>25</sup> At a general town meeting, March 5, 1715-16, it was voted to add twenty pounds to Rev. Mr Fox's salary for that year. The original contract was for £80 per annum. At March meeting, 1716-17, it was voted "that the Reverend Mr John Fox should have 20 pounds added to his Fourscore this year, provided that he keep a Lecture once in six weeks if he be able." At the same meeting, provision was made for the supply of his pulpit, when he was "sick and unable to preach." In March 1724-5, by voluntary vote of the town £30 was added to his original salary of £80, without any condition, (Town Records, Vol. VI., p. 213,) and in March 1725-6, and again in March 1726-7, his salary was raised to £120 for each of those years. — *Town Records, Vol. VI., pp. 265, 296.*

the presentment.<sup>26</sup> In this exigency, they authorized Capt. Josiah Convers, one of their number, to appear on their behalf, who informed the Court, that the Selectmen had not been negligent to inquire for a suitable school teacher; and that, though they had hitherto been unsuccessful, yet their efforts to procure one were still continued.<sup>26</sup> This assurance seems to have satisfied the Court for the present. A teacher for the grammar school in Woburn<sup>26</sup> was soon after engaged for six months, from November 9, for £15; and, at the expiration of that term, in 1707, his engagement was prolonged.<sup>26</sup> The year following, the town having learned by experience, that grand jurors would do their duty in this case, according to their oaths, took seasonable care to prevent another presentment. At a general meeting, March 1, 1707–8, they chose the Selectmen as a committee to look out for and agree with some suitable person to keep a grammar school in Woburn; and “to provide one against the next Court, which is the 9th. currant, if possible.”<sup>27</sup> Agreeably to the above appointment, the Selectmen employed Capt. Josiah Convers, one of their number, to attend to this business: who reported to the Selectmen, March 12, that he had agreed with Mr. John Tufts to keep a grammar school in Woburn for the space of one year, beginning with March 8: “And to improve and pay him for eight months of the said time; he to stay in Town one month from the said eighth day of March; and then to come again when the town sends for him. And he to receive out of the Town Treasury after the rate of thirty pounds per annum for the time he stays in town as our school master.”<sup>28</sup> This arrangement is evidently another instance of contrivance to give the town’s money and credit at the same time.

To prevent a presentment of the town, Mr. Tufts, the school-master elect, must be at their call for a whole twelve-month. He must commence his school the day before the Court sat; and after keeping it a month, he might go about his own private occasions, if he pleased, but must come again when the town sent for him, that so they might have him among them, keeping

<sup>26</sup> Town Records, Vol. V., pp. 35, 48.

<sup>27</sup> Town Records, Vol. V., p. 76.

<sup>28</sup> Town Records, Vol. V., p. 82.



school, whenever the Court sat during that period, and especially in March Term the next year. But at the same time, the Committee gave him to understand, that he would be actually employed and paid only eight months of the twelve; apprehending, perhaps, that unless he should prove a popular teacher, the town's money for a longer time than that would be no better than thrown away. But, contrary to the Committee-men's fears perhaps in this respect, Mr. Tufts' labors proved so very acceptable, that at the next March meeting, 1708-9, the town as a body voted him an invitation to continue them here the whole of the next year, and authorized the Selectmen to hire him for this end "upon as reasonable terms as may be."<sup>29</sup> And, accordingly, the Selectmen, at a meeting of theirs, March 21st, engaged Mr. Tufts to be the grammar school-master of Woburn for the year ensuing; and, for this service, promised not only to pay him in money, at the same rate as the year preceding, viz: £30 per annum, but also that when he went into the different quarters of the town to keep school, the inhabitants of each quarter "should find him a horse to ride to meeting on"; a privilege which at that day was highly set by, and which was afterwards indulged other masters in like circumstances, as contributing much to their general respectability, and especially as increasing their influence over their pupils.<sup>29</sup> And now, from this time, 1709, till 1775, the year of the Revolutionary war began, Woburn appears to have been uniformly supplied with a grammar school-master, for a longer or shorter portion of every year save one. Influenced not only by desire to escape the penalty of the law, all attempts to elude which they had found to be vain or injurious to themselves, but also, it is to be hoped, by a due regard for their own reputation, and for the best interests of their posterity, they henceforth constantly manifested a disposition to maintain and encourage their grammar school; and so vigilant were they to see it duly provided with a teacher, that they never allowed themselves, as late as 1775, to be again

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<sup>29</sup> Town Records, Vol. V., pp. 109, 111.

presented for the want of one but once, viz: during the unfortunate circumstances of the town, in 1732.<sup>30</sup>

Their School Committees were careful every year to make seasonable inquiry for a master; they were concerned to find one competent for the work; and seemed willing to pay him an equitable compensation. And the result of this wise policy was an inestimable benefit to the rising generation, and the giving of an impulse to the cause of education that has continued to the present day. The masters whom they employed during this period were commonly young gentlemen of liberal education from abroad, and especially students in theology, resident at Cambridge and in the vicinity; and some of them afterwards distinguished themselves in the Christian ministry or in civil life: as Hon. Nathaniel Saltonstall of Haverhill; Hon. Jonathan Sewall, Esq., the noted Attorney General at the commencement of the Revolution; Rev. John Hancock of Braintree, now Quincy, father of Governor Hancock; Rev. Habijah Weld of Attleborough; and that profound theologian and eminent minister of the Gospel, Rev. Peter Clark of Danvers. But a considerable proportion of their grammar school-masters were Woburn's own sons, who were born and instructed in the first rudiments of learning within her own precincts, and then completed their education at the College in Cambridge. Of these, some were honored in civil life: as Col. Jabez Fox of Portland, son of Rev. John Fox of Woburn. Some eventually preached, and became respected ministers of the gospel: as Rev. John Gardner of Stow, Rev. Timothy Walker of Pennicook, now Concord, N. H.; Rev. Ebenezer Flegg of Chester, N. H., and Rev. Ebenezer Wyman of Union, Ct. And others still of them were either school-masters by profession, or at least, excellently qualified for the employment, judging by the frequency with which

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<sup>30</sup> In an account of the disposal of money raised by the town, March 1732-3, for the payment of the town's debts and expenses, is the following item: "Paid to Mr Josiah Johnson, due last year, £1.0.0. and for . . . money he paid at the Court for the Town's being presented for want of a Schoole master, and about the Highway £11:14:10." — *Town Records, Vol. VII., p. 168.*

they were engaged in it, in their native town. Such were Mr. Isaac Richardson, Mr. Adam Richardson, Mr. Jabez Richardson, Mr. Ebenezer Thompson, Mr. James Fowle, and more particularly, Mr. John Fowle; a gentleman for many years distinguished by way of eminence in Woburn, by the title of Master Fowle; one whose stern manners, strict discipline and aptness to teach, rendered him the terror of all idlers and rogues in his school, but recommended him to the esteem of the diligent and ingenuous, and whom such eminently scientific men as Col. Loammi Baldwin and Benjamin Thompson, Count Rumford, were not ashamed, in their younger days, to attend upon his instructions, and to call their master.

This noted teacher was a son of Maj. John Fowle, and of Mrs. Mary (Convers) Fowle, his wife; was born in Woburn, February 1, 1726, [1726-7] graduated at Harvard College, 1747; commenced keeping school in Woburn, 1758, and from that year till 1770, was constantly employed there in that work. He died of a nervous fever, October 15, 1786. The following anecdote, illustrative of his management and discipline in school, was told me by Mrs. Mary, widow of Mr. James Bennett, and daughter of Capt. Joshua Walker, of Woburn Precinct, who in her childhood, attended Master Fowle's school, when it was keeping in the Precinct, and who died, 1857, in the 94th year of her age. He had a class of young men, studying Latin, who, presuming upon their advanced age and standing, ventured to take unwarrantable liberties in school hours. Master Fowle saw and watched them for some time without making complaint. But he at length broke out, and addressed them in such words as these:

“Ho, you Latiners, up there: you seem by your actions to think, that because you sit in a higher seat, and are more forward in your studies than the rest of the school, you may do here as you like. But I'll quick let you know that you shan't. I have had my eyes upon you for some time, though you did not know it. And now I tell you what, boys. You, every one of you, deserve for what I've seen in you a sound thrashing; and a sound thrashing every one of you shall have, unless you instantly come forward, and upon your

knees on the floor ask pardon of me and of the whole school for your misbehaviours. Come on then, I say; come at once, and no waiting; or I'll be at you."

This command was dreadfully humiliating to the young rogues. But, knowing that their master in his threats always meant as he said, and that with him, it was but a word and a blow, they at once reluctantly came forward, and ashamed and mortified, did as they were bid. And we may be sure that Master Fowle had never afterwards occasion to speak to them for the like offence.

Schools in Woburn seem to have been kept originally in the dwelling-houses of their instructors, or of other persons interested in the promotion of learning, who severally fitted up a room in their homes for this use at their own cost. The first distinct notice on record of a place provided by the town to keep school in was in 1700. After the town, at a general meeting, December 4th, of that year, had agreed with Mr. John Fox to keep the grammar school a twelve-month, the Selectmen hired for his accommodation the house of George Reed, Jr., nigh the meeting-house, at twenty shillings rent per annum.<sup>31</sup> This house was accordingly fitted up as a school-house, at the town's expense, and continued to be used for this purpose several years afterwards.<sup>32</sup> In 1707, when the grammar school began to be moved occasionally into different quarters of the town, other private houses were hired by the town for the time they were needed to keep it in. At a general town meeting, March 2, 1712-13, liberty was granted to any persons, who should be disposed, to erect at their own cost a convenient school-house for

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<sup>31</sup> Town Records, Vol. IV., p. 167.

<sup>32</sup> The Town Dr. Oct. 1, 1700, for "Boards and Nayls for a table and bench for y<sup>e</sup> Scoolhouse two shillings and flue pence."— *Town Records*, Vol. IV., p. 166.

The Town Cr. 1705. "By Cash paid to Sergt Geo. Reed for his house rent last year, 8 shillings."

The Town Cr. 1705. By cash paid "to Constable Thos. Peirce for work about repairing the forms & tables of the Schoole House," etc.— *Town Records*, Vol. V., p. 21.

The Town Dr. 1705. "To Sergt George Read for the rent of his house for the Schoole this present year 0:9:0."— *Town Records*, Vol. V., p. 22.



the town's use upon the town's land, "at any convenient place between. the meeting house & Lieut. John Coggin's"; the particular spot to be stated by the Selectmen.<sup>33</sup> Accordingly, a subscription paper for this purpose was put in circulation, which obtained eighty subscribers. Rev. Mr. Fox headed the list with £1. Among other principal subscribers, Mr. Jacob Wyman put down £1 15s.; Capt. Josiah Convers, £1 5s.; Col. Jonathan Tyng, £1 5s.; Mr. William Symmes, 16s. 6d. The whole amount of the subscription was £41 15s. 6d. With this encouragement, the undertakers proceeded to build a school-house, which, when completely finished, cost £43 18s. 4d., a trifle over the sum subscribed for this end at the first. This school-house, by direction of the Selectmen, was erected, say the Records, "on the East side of the highway [to Wilmington?], over against Thomas Leppingwells."<sup>34</sup> In compliance with the request of sundry petitioners, liberty was given them at March meeting, 1735-6, to remove it from its original location "down near the meeting house," on condition of their being at the cost of removing it, and fitting it up again "in good order to keep schoole in."<sup>35</sup> But this, it seems, was not its final resting place. For, at March meeting, 1744, it was voted, that the stated place for the grammar school in the Old Parish, for that year, should be as near the meeting-house as a spot to set a school-house on could be procured.<sup>36</sup>

Accordingly, in 1748, and other subsequent years, reference is repeatedly made in the Records to the School-house in the First Parish, as standing near the Meeting-house. And as this school-house was the first one erected in the town, so, as late as 1760, it appears to have been the only one, unless that in the Precinct, the date of whose erection is not known, be an exception. In 1736, it was furnished not only with benches, a table etc., as is usual, but also with a "Great Chair", designed, no doubt, to add dignity to the master, in presiding over the miniature kingdom under his rule.<sup>37</sup> This chair was probably a

<sup>33</sup> Town Records, Vol. V., p. 254.

<sup>34</sup> Town Records, Vol. V., p. 279.

<sup>35</sup> Town Records, Vol. VII., pp. 217, 224.

<sup>36</sup> Town Records, Vol. VII., p. 440.

<sup>37</sup> 1736, Sept. 13. The Town Dr. "To Ebenezer Johnson for a great Chear for the Schoole House £0:10:0." — *Town Records*, Vol. VII., p. 247.

large flag bottomed one, with a high back, and with legs and arms all curiously wrought and carved, like other chairs manufactured in those days, that are yet occasionally to be seen. And such a favorite was this important article of school-house furniture with the master, and so constantly used by him, that, within eleven years, it had come to need seating anew. For at a meeting of the Selectmen, September 25, 1747, an order was granted on the Treasurer to pay Mr. Isaac Richardson £27 10s. Old Tenor for keeping school that year; and 10 shillings Old Tenor more that he paid to Mr. Samuel Kendall for "Bottoming the School House Cheer."<sup>38</sup>

From the time that a grammar school was established and constantly kept in Woburn, the town seems to have considered this school as fully answering the design of the law, and so to have neglected the maintenance of other schools for teaching children to read and write: for the Records make no mention, after 1700, of the appointment of any teachers, male or female, for this office, or of granting them any compensation. There can be no doubt, however, that women's schools, for this purpose, were still kept here by private subscription. For, at a general meeting, March 1, 1724-5, liberty was voted and given "to several of the inhabitants that should agree to set up a school house for children to learn to read in, upon the town's land in the street, where it may be most convenient; and the Selectmen to set out the place."<sup>39</sup> And the liberty granted by this vote not being, apparently, for some reason, improved, another vote was passed at a general meeting, March 4, 1733-4, by which leave was given to several persons who had petitioned for that end, to erect a small school-house near the meeting-house, where the Selectmen shall appoint, for the accommodation of a school-mistress to instruct their children to read, and other things that are necessary to learn.<sup>40</sup> And such a house, it is probable, was built, and employed for the use intended, though the Records are afterwards silent respecting it.

The grammar school in Woburn was originally kept, year

<sup>38</sup> Town Records, Vol. VII., p. 521.

<sup>39</sup> Town Records, Vol. VI., p. 213.

<sup>40</sup> Town Records, Vol. VII., p. 171.

after year, in one place only, viz, in the centre of the town. But at a general meeting, March 3, 1706-7, it was agreed as follows: "Forasmuch as our Town of Woobourne (is) situated very scattering and remoat, so that the whole Town (cannot) be benefitted alike, by the Schoolmaster's keeping the Schoole in the Senter of the Town at all times, that therefore the Schoole Master for the time being (shall) keep the Schoole one quarter of the year in the Center of the Town, and the other three quarters of the year in three of the remoat Quarters of the Town, according to the direction and appointment of the Selectmen for the time being."<sup>41</sup> This vote laid the foundation of the moving school system, which was much, though not uniformly practised in this town during a large part of the last century. By this, the grammar school and its instructor were moved round into the different sections of the town, for lengths of time proportionate to the taxes they paid, by order of the Selectmen, or some other committee of the town's appointment. At first, only three of the remote quarters were named for the school to be moved to; and in each of these it was to be kept an equal time as in the centre. But as settlements in the town extended and multiplied, the school seems to have been wholly omitted some years in the centre; and the number of places in which it was kept in the outskirts was increased.

The erection of a school-house in the centre, by private individuals, in 1713, caused a temporary check to the moving system, as it was probably intended to; for we read nothing in the Records of keeping school in the quarters for six years afterwards. But at the annual meeting, March 2, 1718-9, it was voted that the grammar school-master for the time to come should "goe into the quarters of the Town": from six weeks to two months into the end of the town where Deacon Walker lives [Goshen, or Wilmington]; as long as that, into the end where Deacon Johnson lives [Shawshin, or Burlington]; and as long as that into the West, and then as long into the East end.<sup>42</sup> At March meeting, 1728-9, it was voted "that the School Master

<sup>41</sup> Town Records, Vol. V., p. 42.

<sup>42</sup> Town Records, Vol. VI., pp. 48, 49.

should move ;” and further, “that the School should be moved so far as Mr. Thomas Belknap’s [on the road to South Woburn, or Winchester] their proportion; and to Sergeant Thomas Reed’s house [West end] their proportion; and to Sergt. Benjamin Johnson’s [Burlington] their proportion; and to the School house at Goshen [Wilmington] their proportion; and to the house of Samuel Eames [East Woburn] their proportion.”<sup>43</sup> At a town meeting, February 2, 1737–8, after resolving that the school should be a movable one, the present and the ensuing year (that is, the remainder of 1737, as then calculated, and through 1738), it was voted that (1) the Precinct, (2) the Richardsons and the Carters at the southerly part of the town, (3) the West, (4) the East, (5) New Bridge, should each have the school among them according to what they pay; that the school should move to the southerly part of Richardson’s Row for them and the Carters; and that the Selectmen should state the place where the school should be kept.<sup>44</sup> And at March meeting, 1741–2, the town having appointed the Selectmen a committee to provide a master for the grammar school that year, and voted that he should move into the different quarters, proceeded to choose Lieut. Joseph Richardson, Lieut. James Proctor, Lieut. Samuel Carter, Ensign Samuel Wyman, Mr. Ebenezer Flagg, Mr. William Tay and Mr. Timothy Brooks, as a committee “to agree and determine on the severall places the Schoolmaster shall keep the Schoole at, in said Town, and the time at each place, the year ensuing”; and to report to the Selectmen, who were empowered to direct the master to go to the places, and to keep the terms of time agreed upon, agreeably to the committee’s Report.<sup>45</sup> Accordingly, the Selectmen immediately engaged Mr. James Fowle to keep the grammar school in Woburn a year, for £70, Old Tenor; and shortly after, the committee for determining the places where the school should be kept, and how long in each place, reported to the Selectmen as follows: That the school should remove :

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<sup>43</sup> Town Records, Vol. VI., p. 369.

<sup>44</sup> Town Records, Vol. VII., p. 267.

<sup>45</sup> Town Records, Vol. VII., pp. 394–396.



1. To Lieut. Samuel Kendall's (Kendall's Mill) on the 22d day of March inst. and there keep till May 9th.
2. Thence to the School house (in the Centre) till July 11th.
3. Thence to New Bridge, "house of Martha Tidds', or elsewhere," till August 8th.
4. Thence to the house of Lieut. Joseph Richardson Jr. till Sept' 19th.
5. Thence to the Precinct, at some place that they shall agree upon, till Dec' 31st.
6. Thence to the Carter's Quarter (South Village) house of Mr. Ebenezer Convers, till (1st) Monday in March next.

Signed by the Committee, March 18, 1741-2.<sup>45</sup>

In this brief view of the operation of the moving school system in Woburn, from its commencement in 1707 till 1742, we may observe, that while the school-house, in the centre of the Old Parish, is mentioned only once among the places, in which, in the different years enumerated above, the grammar school was ordered to be kept, the places in the outskirts for keeping it in had increased from three to five. While some conveniences resulted from this plan of conducting the school, its inconveniences to all parties concerned were many and serious. So much trouble was it wont to occasion the teacher, that Master Fowle petitioned the town one year, 1760 (but without success), to make him some additional allowance besides his salary, "in consideration of the fatigues he hath had by reason of there being so many removals of (his) school."<sup>46</sup> The frequency of these removals in the course of a year, and the shortness of the time the school was kept in some of the quarters, (viz: from a month to six weeks only) were both of them unfavorable circumstances to the comfort and improvement of the scholars. The appointments, too, of time and place for the school by the committee (judging of them as well as we can at this distance of time) appear to have been, in some instances, injudicious, and in others to lie open to the suspicion of partiality. For example, by the last quoted arrangement for January and February, 1742-3, a season of the year, when the severity of the weather, the badness of the travelling, and the superior opportunities which children in the country then usually enjoy for attending

<sup>46</sup> Town Records, Vol. VIII., pp. 235, 238.

school, would naturally have led the committee, one would suppose, to fix upon the school-house in the centre, as the most eligible place for keeping the school, and calculated to accommodate the largest number of pupils, it was ordered to the southernmost extremity of the town, and where, in going to it, a very large proportion of the children and youth, probably a majority of the whole, must have been obliged to travel from two to five miles, or relinquish the privilege of attending school altogether. At times, too, the several committees for fixing the location of the school year after year, gave cause to the inhabitants of some of the quarters to conceive themselves to be slighted. There is on file an original petition to the Selectmen without date, but written probably about 1742, and subscribed by twenty-eight inhabitants of Button End, complaining that they had not had the school among them for nearly thirty years; and earnestly requesting that it might be kept that year in their neighborhood, at the house of Capt. Joseph Richardson, Jr., where accommodations were provided for it.

All these circumstances caused a growing dissatisfaction with the system, and eventually a powerful opposition to it, although many years a majority was found in town meeting who voted in favor of it. At March meeting, 1744, the town voted that the Precinct should have their proportion of the school the year ensuing; and their proportional part of the time being deducted, the school should be kept the remainder of the year in the Old Parish, in one place as near the meeting-house as a spot to set a school-house on could be procured.<sup>47</sup> And at March meeting, 1748, it was voted, (1) that the Precinct should have the school that should be kept the present year, their proportionate part of the time; and, (2) that the school should not be removed about in the First Parish the ensuing year, "but be kept in the School House near the Old Meeting House in said town the rest of the year," after deducting the Second Parish's proportionable part.<sup>48</sup> Votes to the same purpose with this last were passed in the years 1749, 1750, 1751, 1752, 1753, 1754 and 1755.

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<sup>47</sup> Town Records, Vol. VII., p. 440.

<sup>48</sup> Town Records, Vol. VII., p. 538.

In 1756, the town reverted, in part, to the moving plan. After voting, March 1, that the school should be kept in the Precinct, and in the school-house near the new meeting-house (of the Old Parish), their proportional part, voted, that it should also be moved to the East and West sides, as the Selectmen should proportion the time; but, if either side neglected to provide a house for the school, it was to be kept in the Centre School-house.<sup>49</sup> And, although the three next years the school was ordered again into the quarters, yet, the year following, 1760, this plan was again abandoned, and the grammar school confined to the Precinct, and the centre of the Old Parish. And between that year and 1775, the system of moving the Grammar School into the several different quarters of the town was laid aside, excepting the years 1762, 1767 and 1768, and the school was kept only in the Precinct, and at the school-house in the centre of the First Parish.

In 1760 commenced the institution of schools different from the grammar school, and inferior to it, in the remote parts of the town. That year, after voting, at March meeting, that the Precinct should have its proportional part of "the School," (meaning, the grammar school) the year ensuing, and that the rest of the time the school was keeping, it should be kept in the school-house in the First Parish, and not be removed, and after choosing a committee to provide a person suitable to take the charge of such school, it was voted in May, that "they would allow to each of the extream parts," (meaning the East, South and West parts) "of the first parish in said town the sum of thirty-three pounds six shillings and eight pence, Old Tenor, or equivalent in Lawfull Money, to be draughted out of their Treasury by each part, provided they appropriate said money in hireing some suitable person to keep a school for the instruction of their children before the first day of March next."<sup>50</sup> Votes, of a similar purport, were passed by the town, several of the subsequent years previous to 1775. In 1761, for example, £400, Old Tenor, was raised "for maintaining the Grammar School and other Schools"

<sup>49</sup> Town Records, Vol. VIII., p. 172.

<sup>50</sup> Town Records, Vol. VIII., p. 291.

in the town that year. Of this sum, £100 was granted, to be equally divided between the extreme parts of the First Parish, "provided they hire some suitable person to keep a school for the instruction of their children," in the course of that year.<sup>51</sup> In 1773, £40, lawful money, was raised for schools in Woburn; of which sum, £3 6s. 8d. was allotted expressly to each of the easterly, southerly and westerly extremes, £10 in all, for the instruction of the children in those quarters; and a committee was chosen to procure a suitable person or persons, for performing this service among them, and for determining the times and places of each school, while another committee was chosen to provide a suitable master to keep the grammar school nine months, viz, five months in the school-house in the First Parish, and four months in the Precinct.<sup>52</sup> In March 1774, £40, lawful money, was raised for the grammar school, to be kept in the Precinct its proportional part, and the rest of the time in the school-house near the meeting-house in the First Parish; and in May, £15 more, lawful money, was raised for schools in the remote parts of the town; whereof, £5 was appropriated to the Precinct, as their proportionate part, and the remaining £10, to the instruction of children in the extreme part of the First Parish.<sup>53</sup> And, finally, in 1775, forty pounds was raised for schooling that year, of which sum each parish was to take its proportionate part, and had liberty to unite with each other in hiring a grammar school-master to serve the town in that capacity nine months that year, and "the remaining part of said forty pounds to be appropriated for the instruction of the children in the extream parts of the parishes, as each parish shall think will be for their best interest, and to no other use."<sup>54</sup>

Thus was inaugurated a system of graded schools in Woburn, which had apparently much influence in setting aside the old custom of a *moving grammar school*, and in laying the foundations of the school districts which followed. As late as 1775, there were no school-houses in which to keep the schools in the outskirts; but they were kept in such private houses, and for

<sup>51</sup> Town Records, Vol. VIII., p. 312.

<sup>53</sup> Town Records, Vol. IX., pp. 235, 239.

<sup>52</sup> Town Records, Vol. IX., p. 198.

<sup>54</sup> Town Records, Vol. IX., p. 276.



such lengths of time, in proportion to their taxes, as a committee, appointed by the town for the purpose, was pleased to determine. They were taught by male teachers, engaged for this employment by a committee nominated by the town at March or May meeting; and as the pay of these teachers was smaller, so it is to be presumed that their work was less laborious and diversified than that of the instructors of the grammar school.

It would be gratifying to exhibit here a complete list of the books used in the Woburn schools during the period of the above survey; but such a list, it would now be hardly possible to find or collect. But the following school-books are still extant in Burlington (Woburn precinct), inscribed, some of them, with the names of their former owners, natives of Woburn, and pupils of its schools before 1775, and all of them furnishing strong tokens of having been studied in those schools previously to the year just named.

1. "The Universal Spelling Book" etc. (place and date of printing lost): Part II. of which is styled "An easy Guide to English Grammar, by Way of Question and Answer etc. etc.

Let all the foreign Tongues alone,  
Till you can read and spell your own."

2. "The Youth's Instructor in the English Tongue: (Title page wanting) In three parts; of which part III. contains "Rules in Arithmetic, with Forms of Bills, Bonds, Releases etc. etc."

3. "A New Guide to the English Tongue: In Five Parts:

The Twenty Second Edition:

By Thomas Dilworth, School Master etc.

London 1760."

[With a likeness of the author prefixed, dressed in the costume of an English school-master of that day.]

N. B. The work last mentioned has lost a number of pages. Part III. contains "A short, but comprehensive Grammar of the English Tongue, delivered in the most familiar and Instructive Method of Question and Answer," etc. etc. Part IV. "An useful Collection of Sentences in Prose and Verse; Divine, Moral and Historical," etc.; and Part V. "Forms of Prayer for Children, on several Occasions."

Such was the condition of the public schools in Woburn, and the progress evidently made in them, between 1690 and 1775. At the commencement of the above term of time, primary schools were but feebly and meanly sustained by the town; and as to a grammar school, scholars could not be found to attend one. But long before the completion of that period, a grammar school was constantly maintained in Woburn; highly respectable teachers were encouraged to take charge of it; and parents manifested much solicitude that their children might enjoy its privileges, and that it might be located where they could conveniently attend it.

And here it may not be amiss to give some account of a contention respecting one of the masters of the grammar school during that period, with which the whole town was agitated. In July 1725, the Selectmen, being the School Committee, hired Mr. Ebenezer Flegg, a nephew of their chairman, Col. Eleazar Flegg [Flagg], to keep the grammar school three months.<sup>55</sup> But it appears that previously to this, one or more of the Selectmen, or some one authorized by them, had spoken to Mr. Timothy Walker, a son of Deacon Samuel Walker, in such terms as that he considered the school as engaged to him, and was unwilling to give it up. Mr. Flegg commenced keeping the school July 26, according to agreement; and Mr. Walker still insisting upon his right, the Selectmen were requested to call a meeting of the town to settle the difficulty; but this they refused to do. Whereupon, application was made to Oliver Whiting, Esq., of Billerica, a justice of the peace, who granted a warrant for the meeting of the inhabitants of Woburn, "to reconcile the difference that has happened relating to their Schoolmasters, and to determine which of them shall keep the said Town Schoole."<sup>56</sup>

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<sup>55</sup> Col. "Flegg's" name and that of his nephew are here spelt as they are found in Woburn Records, although Gershom, the Colonel's father's name, and that of his remoter descendants in Woburn to this day, is spelt Flagg. Dr. Bond, however, in his "Genealogies" and History of the Early Settlers of Watertown, where the Woburn Flaggs originated, observes, that there can be but very little doubt that the spelling of their name Flagg, though now universally prevalent, is erroneous, and that the correct orthography is Flegg. — See *Bond's Genealogies, etc.*, p. 762.

<sup>56</sup> Town Records, Vol. VI., p. 224.

At that meeting, August 27, 1725, "after considerable debate," the Moderator, Mr. Ebenezer Johnson, ordered Capt. Fowle, the Town Clerk, to put upon record the warrant by which they were then met, and also to record Mr. Timothy Walker as school-master for the current year. At the same time, forty-three persons entered a protest against passing, at that meeting, any votes to be put upon the Town Book.<sup>56</sup> In accordance, however, with the above injunction given by the Moderator to the Town Clerk, Mr. Walker seems now to have been forcibly put in possession of the town school-house. But as the Selectmen, who were the School Committee, still refused to acknowledge his claims, he appealed to the law, by entering a complaint in the Supreme Court against them and the Town Clerk. Mr. Flegg appears to have continued keeping school in some private dwelling, under the patronage of the Selectmen; and when his first engagement expired, they prolonged it one month more;<sup>57</sup> and then hired a different master for the remainder of the year. They also, in opposition to the meeting in August preceding, or in order to justify themselves and the course they had taken in view of the community, called another meeting, January 6, 1725-6: the warrant for which is not upon record, but at which it was voted, among other particulars,

1. "That the publick schoole and schoolehouse in said Town should be under the care and regulation of the Selectmen of said Town as formerly.

2. "That the Selectmen should prosecute in the Law any person or persons that shall pretend and doe keep possession of the publick Schoolhouse of said Town, without their order; and also prosecute in the Law any person or persons that shall demolish or harme the same.

3. "That what was voted at a meeting of some of the freeholders and other inhabitants of said Town upon the twenty-seventh of August last past concerning Schoolemasters should be null and void, it being counted irregular."<sup>58</sup>

But before any votes were taken on this occasion, except that for the choice of Moderator, a large number of the inhabitants

<sup>57</sup> Town Records, Vol. VI., p. 262.

<sup>58</sup> Town Records, Vol. VI., p. 245.

present entered a Protest against any further action upon the articles of the Warrant, for the following reasons among others, viz :

“ 1. Because that in the Preface to the Warrant for this meeting it seems to be intimated, that the Town is to signifie their minds concerning the difference in Town relating to the Grammar Schoole: Whereas we esteem [it] very unnecessary for the Town to give themselves the trouble to signifie their minds concerning a matter that is already in the hand of authority, and waits for a determination; the signification of the Town's mind concerning which will be of no consequence, neither pro nor (con): and also we esteem it high presumption and contempt, for the Town thus to pretend to wrest the sword of Justice out of the hands of the King's Justices.

“ 2. Secondly, Because that the first Particular mentioned in said warrant seems to be grounded upon a supposition, that private men have hired a Grammar Schoole master, and put him into the publick Schoole house of said Town; which supposition is absolutely false; and therefore for the Town to be convened to signifie their minds concerning a matter that is not, nor as we know of, ever will be, is grossly absurd.

“ 3. But granting the supposition to be true, yet the Law prescribes that nothing shall be enacted at a Town Meeting, but what is plainly set forth in the warrant, to the end that all men may be well apprised of the occasion of their meeting; but yet in any of the particulars of this warrant they have neither set forth who the schoole master is, nor the private men that have hired him.

“ 5. Because — what in the second particular of said warrant, “ they call the publick Schoole house, is a particular propriety; and for the Town to commit the care and trust of any thing to other men which is not their own, is inconsistent with reason.

“ 6. Because we do not understand what they mean by Regulating the Town meeting in August: for if they mean to confirm and establish any vote then passed, it is a thing unnecessary;



and if it be, to repeal and disannul any, it is beyond their power.”<sup>59</sup>

To this Protest, seventy-eight names were subscribed. Among the subscribers, were many of the most respectable inhabitants of the town, especially of the Johnson and Richardson, the Thompson and Wyman families. And the reasons upon which it was professedly grounded, do all seem weighty and forcible, except the fifth, denying the right of the town to dispose of the school-house, which was certainly lame. For, although that building was erected at the expense of private individuals, yet it was built upon the town's land and expressly for the town's use. But all the conflicting votes, opinions and measures of these two several meetings of the town, on this subject, were soon superseded by the decision of the Court, which was in favor of Mr. Walker, the complainant, and in pursuance of which, a writ of mandamus<sup>60</sup> was quickly issued against the Selectmen and Town Clerk. In compliance with this writ, the town came to an amicable settlement with Mr. Walker not long after. At a town meeting, June 13, 1726, it was voted, “that Mr Timothy Walker should have the sum of twenty seven pounds, ten shillings paid him out of the town treasury for services done in keeping the school in Woburn in the year past: which money was paid for peace and the ending of all former differences.”<sup>61</sup> At the same time, Mr. Walker signed a certificate, acknowledging himself fully satisfied; and discharging the Selectmen and Town Clerk of all cost, to which they ever had been or might be liable, in virtue of the writ of mandamus, whether claimed by him, or by any under him.\*

<sup>59</sup> Town Records, Vol. VI., p. 246.

<sup>60</sup> See Appendix, VIII.

<sup>61</sup> Town Records, Vol. VI., p. 276.

\* Mr. Walker's certificate was written and signed by him on a separate piece of paper. The following is a copy of it:—

“Woburne June ye 13th. 1726 at a Town meeting. Whereas ye subscriber entered a Complaint, whereby I obtained a Mandamus against Eliezer Flegg Esqr and ye other Selectmen and Town Cleark of ye said Town in ye yeare 1725, for which I do acknowledge myself fully satisfied for all Trouble and Charge, and Ingage to discharge ye sd. Selectmen & Towne Cleark of any charge that hath or shall ever arise concerning sd. Mandamus, or shall arise by me or any under me: as Witness my hand

“TIMOTHY WALKER.”

And thus an end was put to the contest, which had kept the whole town in a state of turmoil and confusion almost a twelvemonth. In reviewing it by the best light we can obtain at this remote period of time, it seems a striking illustration of those words of Solomon,<sup>b</sup> "The beginning of strife is as when one letteth out water." The source of this contention was in the beginning, like a shallow outlet, scarcely a hand's breadth wide, to a large pond, which may be easily stopped. By some unaccountable oversight, the Selectmen had hired two masters, both of them gentlemen of unexceptionable character, to keep the same school at the same time. Or else, for reasons now impossible to ascertain, they had suddenly determined to pass by Mr. Walker, whom they had engaged first, and to take Mr. Flagg in his stead. But even now that they had opened a way for a stream of contention, it seems as though a disposition to do exactly right by Mr. Walker, and a little praiseworthy condescension to apologize to Mr. Flagg for the disappointment they might occasion him, would have quickly rectified their error. But no. Having once taken a wrong step, the Selectmen acted as though they thought they must go on, be the consequence what it would: And now the bitter waters of Meribah began to run apace: and urged on with the harsh surmises and stinging reproaches of both parties, that which was at first an insignificant rill, soon swelled into a mighty stream, bearing down all before it, and burying the peace of the town, till checked by the mound erected by the strong arm of the Law. This gave the passions of men time to cool; and now a survey of the trouble and expense in which they had involved themselves and the town, doubtless led the aggressors in this affair to regret that they had not better heeded the words of the Wise Man just cited; and better followed his counsel attached to them, "to leave off contention before it be meddled with."

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<sup>b</sup> Prov. xvii, 14.

## CHAPTER VIII.

**Separation of Goshen (Wilmington) as a Town, and of Shawshin (Burlington) as a Precinct or Parish, in 1730: Ordination of Rev. Edward Jackson, 1729: Ordination Dinner.**

WE have now arrived at a period in the history of Woburn, when it was fast becoming a comparatively populous and wealthy town. The number of persons rated there in the Province tax of 1700 was only 187:<sup>1</sup> but in the Province tax for 1725,<sup>2</sup> it had increased to 305. According to a Valuation for the County of Middlesex, taken by order of the General Court in 1708, Woburn was the fourth town in the county for numbers and real estate; ranking, in both these respects, next after Charlestown, Cambridge, and Watertown; taking the precedence of Concord; and leaving Medford, its present flourishing rival, far behind.<sup>3</sup>

But a change was now impending, by which the population of

<sup>1</sup> Town Records, Vol. IV., pp. 170-173.

<sup>2</sup> Town Records, Vol. VI., pp. 248-255.

<sup>3</sup> Town Records, Vol. V., p. 82. In the valuation here referred to, returns are made from twenty towns, including Lancaster, now in the county of Worcester. The number of polls, and the comparative estimate of "real estate" in each of the towns above named, are as follows:—

			Polls,			Estate,
Charlestown	-	-	270	-	-	£53. 7. 8.
Cambridge	-	-	260	-	-	27. 9. 9.
Watertown	-	-	250	-	-	26.12.10.
Woburn	-	-	225	-	-	22. 8. 3.
Concord	-	-	223	-	-	16.19. 5.
Medford	-	-	46	-	-	4.11. 7.

[illegible]

the town was very considerably diminished, and its prosperity for a while, seriously checked. The change alluded to, was the erection of Goshen, or the northerly quarter of Woburn, into a distinct town; and of Shawshin, or the northwesterly quarter, into a precinct or parish. This alteration did not originate in any disaffection to Rev. Mr. Fox: for at the very time it was in contemplation, or in being made, the people were giving him almost every year fresh tokens of their favor and respect by voluntary additions to his salary, and by generous provision for the supply of his pulpit, when he was taken off by sickness from preaching himself.<sup>4</sup> But it grew out of the inconvenience to which the inhabitants of those quarters were subjected, by their remoteness from the place of public worship. There can be no question, that when the second meeting-house in Woburn was built on the hill in 1672, its situation was central, or nearly so, to the great mass of the population. But, since that time, new settlements had been continually making at the north and north-west. And hence the distances of the people in the several quarters of the town from the meeting-house had now become very unequal. For while the inhabitants of the south village (now Winchester) were only between two and three miles from the meeting-house, the dwelling-house of Sergeant Abraham Jaquith, in Goshen, was quite seven miles off; and the Wymans' farms in Shawshin, on the borders of Billerica, not less than five miles.

These were long distances for the inhabitants of those quarters of the town to travel on Sabbath morning, especially in midwinter, when their narrow roads were apt to be blocked up with snow, and next to impassable. But such was the zeal in those days for attendance on public worship and the ordinances of God's house, that, notwithstanding these inconveniences, the people in those parts of the town *would go to meeting*, and be there *punctually* too, at the appointed hour. Authentic tradition

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<sup>4</sup> One such addition, among others that might be named, is the following: At March meeting, 1727-8, *voted*, "that the Rev<sup>d</sup> Mr John Fox should have fourty pounds added to his sallery this present year; so as to make his sallery six score pounds this year." — *Town Records*, Vol. VI., p. 335.



relates, that the inhabitants of the remotest corner of Goshen, near Billerica line, would often travel to meeting in winter on snow-shoes; and that one of them, Deacon James Thompson, would always be there by 8 o'clock in the morning, (in summer, it is presumed) which was an hour at least before the public services commenced. But, though the people of both the most distant quarters of the town attended meeting on the Sabbath from choice, notwithstanding the inconveniences above alluded to, rather than stay away, yet they accounted their subjection to these difficulties by reason of their location, as a great hardship, because they viewed it as *unnecessary*, and therefore *unjust*; and, after bearing it patiently for years, they at length decided to seek relief from it in a legal way.

The first step taken apparently for this end was a petition to the town from both "the Northwardly branches" thereof, which was read at a town meeting called for the purpose, January 19, 1724-5.<sup>5</sup> The subject of this petition is not stated in the Records: the consideration of it, when read, was deferred till the annual meeting in May; and then it was answered in the negative, as follows: "Voated that they would not grant the Petition that was offered to the Town by the two Northwardly Branches of said Town, as it is set forth in said Petition."<sup>6</sup> But though the petitioners were defeated in this their first effort, they were not discouraged from pursuing the object they had in view. After waiting a twelvemonth, they united in another joint petition to the town. But the Selectmen refusing to call a meeting to consider it, they applied to Oliver Whiting, Esq., of Billerica, a justice of the peace for Middlesex county, who granted them a warrant for a town meeting at Woburn, to be held February 10, 1725-6. At that meeting, "the Question being put, Whether the Town would proceed at present . . . . ? it was past in the negative": and further, it was then voted, "that the Town would consider of the premises contained in Justice Whiting's Warrant . . . . at March Meeting next."<sup>7</sup>

The original drafts of the two joint petitions just mentioned,

<sup>5</sup> Town Records, Vol. VI., p. 208.

<sup>6</sup> Town Records, Vol. VI., p. 218.

<sup>7</sup> Town Records, Vol. VI., p. 261.

and the warrants calling meetings of the town to consider them, have long since been missing. And the Town Clerk, in recording the action of the town upon them, seems not to have cared that posterity should know anything respecting the subject of them. In his record of the two meetings, January 19 and May 11, 1725, at which the first of these two petitions was considered, he dropped not a word from which might be gathered what the prayer of the petitioners was. But in his record of the meeting, February 10, 1725-6, just noticed, called by Justice Whiting to consider their second petition, he was not quite so successful in shutting out the light on this matter. After writing, "the Question being put, 'Whether the Town would proceed at present?'" he inadvertently added three other important words, which, upon further reflection, he saw fit to efface, leaving only, "it was past in the negative." Fortunately, however, in drawing his pen twice across the three words referred to, he did not do the work of obliteration so effectually, as to prevent our reading distinctly beneath the erasure, "about a meeting house:" and these three words, when considered with the vote passed at March meeting, to which were adjourned the several articles of Justice Whiting's Warrant not acted upon, and with the subsequent proceedings of the town, September 22 and October 2, 1727, let in abundance of light upon the subjects of the petitions referred to. At the meeting, March 7, 1725-6, it was voted, that sixteen pounds should be paid out of the town treasury towards the support of preaching in both the northerly parts of the town in the three shortest months of the winter, "In case they do provide a minister to preach amongst them; and if they have not a minister to preach amongst them, they are not to have any money out of the treasury."<sup>8</sup> This vote was passed, apparently, to silence the complaints made about the distance of the meeting-house, and to prevent, if possible, any further opportunity from the complainants for the grant of their obnoxious petitions, which the town had negatived at the two preceding meetings. Comparing, therefore, the doings of the town,

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<sup>8</sup> Town Records, Vol. VI., p. 265.

February 10, and March 7, 1725-6, above recorded, with its subsequent proceedings September 22, and October 2, 1727,<sup>9</sup> there can be but little doubt, that the prayer of the first joint petition of the two northerly parts of the town was, that the meeting-house built on the hill might be removed to a more central situation; and that of the second joint petition was, that the meeting-house might be removed, as above; or otherwise, that the town would erect a new one on a site that would better accommodate the petitioners, its remote inhabitants.

In pursuance of the vote of March 7, 1725-6, the sum of eight pounds of the town's money was paid to the inhabitants of each of the remote quarters respectively, viz: to Dea. James Thompson, on behalf of Goshen;<sup>10</sup> and by Mr. Samuel Kendall, Constable and Collector, to Mr. Benjamin Johnson and others, on behalf of Shawshin,<sup>10</sup> to defray the expense of preaching within their respective bounds during the winter of 1726-7. The grant of the above sums by the town, to these respective portions of her population, for the purpose designated by her vote, was a virtual acknowledgment on her part, that the grievance they complained of had a real, and not an imaginary foundation. And, accordingly, it was renewed the year following to the inhabitants of Goshen, at their request, that they might provide themselves with preaching in the winter of 1727-8.<sup>11</sup> But there is no record of a similar grant to Shawshin for that winter. Whence it would seem, either that the town had some special reason for denying the people of that quarter the favor referred to, or else (which is more probable) that those people themselves had omitted to ask it of the town, as they of Goshen had done; being dissatisfied with it, thinking themselves entitled to some higher consideration, and having already made up their minds to seek a more effectual remedy for the disadvantages they labored under, than the temporary grant of a few pounds year by year could yield them. In accordance with these sentiments, they presented a petition to the General Court at their

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<sup>9</sup> See onward, the doings of the town on those respective dates.

<sup>10</sup> Town Records, Vol. VI., pp. 293, 294.

<sup>11</sup> Town Records, Vol. VI., p. 309.

session, in August 1727, the substance of which is stated in the following extract from the Court Records :

“ At a Great and General Court or Assembly, begun upon Wednesday May 31. 1727, and continued by adjournment to Wednesday August 16th 1727, and then met.

“ Thursday Aug. 24. 1727.

“ A Petition of the Inhabitants of the North Westerly Part of the Town of Woburn, Shewing, that the Meeting House for the publick Worship of God in the said Town is situated so as to be very far from the Center of the said Township, and by the increase of the Inhabitants the House is too small to receive them with convenience : And forasmuch as the Petitioners are put to great difficulties & inconveniences by reason of their remoteness, especially in the Winter Season, and in stormy Weather ; And therefore Praying that either the Meeting House may be removed to the Center of the Town, or that the Petitioners may be set off a distinct Township or Precinct, and that a Committee of this Court may be appointed to view that Part of the Town ; and that they may be set off, as follows : viz. To be bounded Westerly two miles & an half on Lexington Line ; on Billerica Line four miles ; to run from the Lines of Lexington & Billerica into the Town of Woburn four miles in Length : The Committee to make their Report to this Court thereon.

“ In the House of Representatives Read, and Voted that the Petitioners forthwith serve the Town of Woburn with a Copy of this Petition, that so they shew forth their Reasons, if any they have, why the Prayer thereof should not be granted.

“ In Council, Read & Concur'd.

“ Consented to, Wm. Dummer.” <sup>12</sup>

Aroused by these proceedings of Shawshin, and by the order of Court in relation to them, the town held a meeting September 22, 1727, at which, after choosing Mr. Joseph Wright, Moderator, they passed the following votes :

“ First, that they would choose a committee to agree with a surveyor and two chainmen, to measure the township of Woburn all round, and to find out the centre of the town.

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<sup>12</sup> Records of Court, Vol. XIII. ? p. 415.



"2dly. Voted that the Selectmen of Woburn were chosen a Committee by themselves, or men whom they should appoint to be a Committee, to agree with a surveyor and two chainmen: which surveyor and chainmen should be upon oath to measure the town of Woburn all round, and find out the centre of the town, and to give a plan of the same; and that the surveyor and chainmen should measure that piece of land petitioned for to be a Township by the Northwesternly part of the Town, and to give a plan of the same also."<sup>13</sup>

They then, for the sake, no doubt, of receiving the surveyor's return before they proceeded to further action, adjourned the meeting with "the subject matter contained in the warrant for the calling of" [it] to October 2.

The gentleman employed by the Committee, as above directed, was Capt. Joseph Burnap, a noted surveyor of Reading, who, with two chainmen of his providing, went to work, measured the town, and made out a plan of it, for which service he was afterwards duly paid.<sup>14</sup> How soon his plan was completed, and where, according to it, the centre of the town was found to be, the Records do not state. Apparently, however, he began his work immediately, and finished in season to communicate the result of his labors to the town at their adjourned meeting, October 2, when they passed the following votes.

1. "First, Voted that they were not for having the meeting house removed from the place where it now stands.

"2ly. Voted that they were not "for building a meeting house for the Westerly part of the Town, as they have set forth in their petition."

"3ly. Voted that the Town was not willing that the land petitioned for in the Westerly part of the Town should be a separate Township.

"4ly. Voted that they would choose a Committee to give in answer to the Great and General Court, why the prayer of the petition [i. e. of Shawshin] 'should not be granted.'

"5ly. Voted, that they would choose three men to be the

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<sup>13</sup> Town Records, Vol. VI., p. 311.

Committee to goe to the Great and General Court to make answer to the above said petition.

"6ly. The men voted and chosen are Mr Caleb Blogget, John Fowle, Mr Joseph Wright." <sup>14</sup>

From the decisive tone and character of these votes, the matter in controversy between Woburn and its Northwesterly district seemed to be now in a fair way of being speedily determined. But in this expectation, both parties were disappointed. For it so happened, that in copying the Order of Court, issued in consequence of the Petition of Shawshin, above referred to, the day appointed by the Court of Woburn, to appear before them, and assign its reasons against granting the prayer of that petition, was, by some oversight, omitted. Of course, the Committee, chosen to make answer to the Court, on behalf of the town, not being duly notified of the time set for their appearance there, accounted themselves discharged from the duty of their appointment, and the petition of Shawshin for that time fell through.

Before another petition could be presented, and another Order of Court be duly served, the town made an attempt to adjust her difficulties with her uneasy children upon her northern and northwestern bounds, upon terms of her own proposing. At a general meeting of the freeholders and other inhabitants, November 15, 1727, after the nomination of Mr. Joseph Wright as Moderator, it was voted as follows: "That the town of Woburn is willing, that the inhabitants of the North and Northwesterly part of the town, should have half the land on that side of the town set off to them either in a Precinct or a Township, Provided they will build for themselves, and maintain the publick worship of God amongst themselves, without the help of the town for time to come." <sup>15</sup> This sounds like a fair offer; and with certain additional qualifications, it might have been satisfactory at the time to those inhabitants of the town, on account of whom it was made. But, expressed as it was, they regarded the vote conveying it with distrust. They could not

<sup>14</sup> Town Records, Vol. VI., pp. 331, 333.

<sup>15</sup> Town Records, Vol. VI., p. 310.

help observing, that, while the town took care by this vote to secure *herself* from all expense in erecting a meeting-house and supporting the gospel among *them*, she did not propose to free them from all liability to charge, for enabling *her* to settle a colleague with Rev. Mr. Fox. A plan for such a settlement was now beginning to be talked of.<sup>16</sup> And the inhabitants of the northern and northwestern quarters were jealous (and as the event proved, not without reason) that the town was disposed to hasten the measure, as a means, if speedily consummated, of embarrassing the Court about consenting to their projected separation; and of retaining it in her power, if they should eventually be set off, to tax them their full proportion of the ordination expenses, and settlement money of the colleague. In view of these considerations, the people, both of Goshen and Shawshin, appear from the first to have listened to the above proposals of the town with dissatisfaction and neglect; and those of Shawshin, disregarding the prospect of an adjustment of difficulties which it held out, determined to embrace the earliest opportunity for renewing the application to the General Court, which it had made during its previous session in August, but which, from causes already explained, had failed of its hoped for issue. Accordingly, at the commencement of the next winter session, January, 1727-8, they addressed the Legislature, as follows:

“To the Hon<sup>ble</sup>. William Dummer Esq<sup>r</sup>. Lieut. Governour & Commander in Chief, the Hon<sup>ble</sup>. the Council, and Representatives for his Majesty’s Province of the Massachusetts Bay in New England in Gen<sup>l</sup>. Court assembled at Boston the 4th Day of January Anno Dom. 1727”: (1727-8).

“The renewed Petition of the Inhabitants of the North Westerly part of the Town of Woburn within the County of Middlesex Humbly sheweth:

“That whereas your Petitioners at the session of the Gen<sup>l</sup>.

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<sup>16</sup> At town meeting, April 4, 1728, “Voted, that it was high time to be in a way to settle another minister among us.

“Further it was voated that the town would hear three or four ministers several Sabbath days, in order to settle one to help Mr Fox.” — *Town Records, Vol. VI., p. 347.*

Court in August last preferred their Petition, therein setting forth the Difficulties they labour under with respect to their attending the publick Worship of God, at the Meeting House where it now stands in the said Town, and praying to be relieved in such Manner as is therein set forth: Upon which Petition the said Court were pleased to Order that the Petitioners should serve the Town of Woburn with a Copy of said Petition, that so they shew forth their Reasons (if any they have) why the Prayer thereof should not be granted; And the Petitioners, above Twenty Days before the sitting of the Generall Court in October last, served the Town with a Copy of the said Petition, pursuant to the Direction in the said Order: But so it happened, that in penning thereof, there was no Day fix'd for the Respondents to give in their Answer, by Means whereof the same has never to this Day been done, and your Petitioners are without Remedy, unless aided by your Honours:

“Wherefore your Petitioners humbly pray, that their said Petition may be Revived; and Inasmuch as they have already served the Town with a Copy thereof, as aforesaid, they may be obliged to give in their Answer in some short limited time, and in default thereof, the Petitioners may be relieved, agreeable to the Prayer of their said Petition, as to the Wisdom and Justice of this Hon<sup>ble</sup>. Court shall seem meet.

“And your Petitioners (as in Duty bound) shall ever pray &c.

“Ebenezer Johnson

“Benjamin Johnson

“In the Name and by Order of the Rest of the Petitioners.

“In Council Jan. 4th. 1727.

“Read & Ordered that the former Petition here referred to be reviewed; and that the Petitioners now serve the Town with a Copy of this Petition & Order, that they may give in their Answer, if they see Cause, on Thursday y<sup>e</sup>. 11th. Instant.

“Sent down for Concurrence,

“J. WILLARD, Secr<sup>y</sup>.

“In the House of Representatives, Jan<sup>y</sup>. 6. 1727.

“Read & Concur'd, with y<sup>e</sup>. Amendment: viz<sup>t</sup>. Dele, on Thursday y<sup>e</sup>. Eleventh Instant, and add the second Thursday of y<sup>e</sup>. next Session.

“Sent up for Concurrence

“W<sup>m</sup>. DUDLEY, Spec<sup>r</sup>.



“ In Council Jan . 8th. 1727.

“ Read and Concur’d.

“ J. WILLARD, Secr<sup>y</sup>.

“ Consented to :

W<sup>m</sup>. DUMMER.

“ Copy Examined

“ p<sup>r</sup>. J. WILLARD, Secr<sup>y</sup>.” <sup>17</sup>

From the authoritative minutes on the back of the attested copy of the above cited petition, it will be perceived that both branches of the Legislature agreed to revive the petition, which had been presented to the Court at their session in August preceding, agreeably to the request of the petitioners. But their deferring of the time set by the Council, at which Woburn was required to respond to this revived petition, from January 11, 1727–8, to so late a day as the second Thursday of the next session in May, seems to have proved a fatal blow to the taking of any further effective proceedings upon it.\*

Discouraged and baffled by the failure of this, their second application to the Court, and yet uneasy to remain in their

<sup>17</sup> Attested copy on file.

\* The following is a copy of the action of the Court at their next session upon the two petitions of Shawshin above cited.

“ Friday, June 14. 1728.

“ On the Petition of the North West Part of the Town of Woburn, Enter’d August 24 [1727] and January 4. 1727 [1727–8].

“ In Council, Read again, together with the Petition herein referred to, and the Answer of the Town of Woburn; and the same being duly considered,

“ Ordered, that the Prayer of the Petition be so far granted, as that Jonathan Dowse, Esq<sup>r</sup>. with such as shall be appointed by the Hon<sup>ble</sup> House of Representatives, be a Committee to view the Town of Woburn, and consider the Situation & Circumstances of the Inhabitants of the Northwesternly Part of the said Town, and report at the next Fall session what they judge proper for the Court to do, in answer to these Petitions.

“ In the House of Representatives Read and Non-Concur’d; and Voted that the Petition be dismiss’d.

“ In Council Read.” <sup>b</sup>

present condition, the inhabitants of Shawshin now turned their attention anew for relief to the town's vote of November 15, preceding.<sup>15</sup> And if the town would have sanctioned such a construction of that vote as would in any measure have met their feelings and views, and assured them of the like exemption from taxation for the support of its own public worship that it had demanded in that vote for itself in support of theirs, in case of a separation between them, both they and their neighbors of Goshen would now, it is very likely, have been glad to accept the proposal of that vote, and have readily complied with the condition annexed to it. To put the disposition of the town on this head to the test, the people of Shawshin and Goshen handed in to the Selectmen the following joint petition :

“ Osborne July the 18 daye in the year 1728.

“ To the Selectmen of Woborne: Wee the Inhabitants of the Northwesterly and North Branches of said towne, commonly called Shawshin and Goshen, desier you the Selectmen, in your next Warrant to call a towne meeting, [to propose] that the Towne explayne their vote concerning setting off half of the towneship to the said Branches ; and that in case these two Branches are set off in order to support the Gospell among themselves, [to see whether] the town will reimburse what charge they the said Branches are att, in settling another Minister with the Reverend Mr Fox, to them.

“ JEAMS TOMPSON

EBENEZER JOHNSON

SAMUEL PEIRCE

BENJAMIN JOHNSON

EDWARD JOHNSON

JAMES PROCTOR.

SIMON TOMPSON

SAMUELL BUTTER

BENJAMIN HARNDEN

JOHN JACQUETH

JAMES SIMONDS

SAMUELL JONES

KENDALL PEARSON.”<sup>18</sup>

But this petition never received any reply ; or, at least, any that can be found on record. It is dated the same day that a town meeting was held, to decide whether the inhabitants would give a call to Mr. Edward Jackson to be their minister, as a

<sup>18</sup> See original petition and signatures, in a bound volume of “ Miscellaneous Records and papers of Woburn,” p. 106.

colleague with Rev. Mr. Fox. This was then a favorite measure with the majority of the people of Woburn, and one which they were very earnest to hasten to its consummation. For reasons, therefore, which have been already intimated, and may be easily conjectured, they did not care to hurry, in answering the foregoing petition, or to give such an explanation of the vote referred to in it as would satisfy the petitioners.

But there was still another, and a plausible reason for not answering the above-quoted joint petition of Shawshin and Goshen. A month before its date, viz, June 17, 1728, the people of Goshen and of the adjoining part of Reading had preferred a petition to the General Court, setting forth the difficulties they lay under, by reason of their remoteness from their respective places of public worship; and praying they might be erected into a "separate & distinct Precinct." This petition had been read with favor in each branch of the Legislature; and the petitioners had been ordered to serve the towns of Woburn and Reading with copies of their petition, that they might show cause on the first Friday of the next Fall Session why the prayer thereof should not be granted.<sup>19</sup> Of this petition of Goshen, the inhabitants of Woburn had been doubtless notified, agreeably to Order of Court, as they had long before been aware of the two previous petitions of Shawshin to the Court for the like purpose. It is not surprising, therefore, that these petitions from both the remote quarters of the town to the Court should be regarded as acts of opposition to the majority of the inhabitants of Woburn; and that the Town should not be forward to gratify the petitioners by explaining their vote of November 15, or giving them the assurance they expressed a wish for, in their note to the Selectmen of July 18.

To defend the town, however, against the above petition of Goshen, it was voted at a town meeting in Woburn, October 14, 1728, to choose a committee "to go to the Great and General Court, to give the reasons why the prayer of the petition of Goshen (so called) should not be granted." The committee

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<sup>19</sup> Records of Court, Vol. XIV., p. 88.

chosen for this end were Messrs. Jacob Wyman, Caleb Blogget, and Jonathan Thompson.<sup>20</sup> Nothing, however, was done in Court that year, or certainly nothing decisive, in regard to that petition: and the people of Goshen were soon made to smart for presuming to send it. Two months after they had presented it to the Court, they preferred to the Selectmen, for the sake of securing, for one winter more, the benefit of the allowance which the town had made them the three years past, to procure preaching within the winter, the following humble request:

“Woborne August the 19th. 1728.

“To the Seelectmen of Woborne: Wee the Inhabitants of Goshen, as in time past, so now allso wee renew oure humble Request to the Towne for a sum of money to support preaching the next winter; and Pray you the selectmen to signifie this our humble Request to the Towne in youre next Warrant.

“Presented by the subscribers hereto in behalf of the Rest.

“DANIEL PIERCE,  
JAM<sup>s</sup>. TOMPSON,  
KENDEL PARSON,  
JOSEPH LEWES.”<sup>21</sup>

A like application seems to have been made at the same time by the inhabitants of Shawshin. But they who hold the purse strings of any public treasury, hold a rod in their hands, which they find very convenient to chasten opposition with, and which has often been administered for that purpose. At an adjourned meeting of the town, November 11, 1728, it being put to vote “whether the Town would grant a sum of money to Goshen and Shawshin to pay for preaching among them in the Winter season?” it passed in the negative:<sup>22</sup> and, though it was immediately carried, to reconsider this vote at the next meeting, so far as it related to Goshen, yet it does not appear to have been ever actually reconsidered, or that any money was ever paid to Goshen again out of the treasury of the town, for the above-named purpose.

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<sup>20</sup> Town Records, Vol. VI., p. 351.

<sup>21</sup> The original draft of this petition was to be seen, a few years ago, pasted between the pages 91, 92, of Records, Vol. I., but it is now missing.

<sup>22</sup> Town Records, Vol. VI., p. 351.



In this unhappy posture, the affairs of the petitioners remained for a twelvemonth longer. During this period; while the town taxed them their full proportion, not only of Rev. Mr. Fox's salary, but of the settlement money and salary of his colleague, Rev. Mr. Jackson, (who had been ordained August 1, 1729,) it denied them even the small pittance, by which, in view of their distance from the meeting-house, it had once aided them, in the depth of winter, to provide for the public worship of God among themselves.

But a prospect of permanent relief at length broke in upon them. The following summer, another petition was preferred by Shawshin to the General Court, subscribed by Ebenezer Johnson, Benjamin Johnson, Edward Johnson, James Proctor and Simon Thompson, on behalf of themselves and others, and praying to be set off from Woburn, either as a town or a precinct.<sup>23</sup> This petition, dated July 9, 1729, appears to have been presented to the Court during an adjourned session at Cambridge in August and September, and due order was taken for furnishing Woburn with a copy of it, and for their giving answer to the Court December 5, why the prayer of it should not be granted.

September 5, 1729, there was presented to the Court a "Petition of Samuel Eames, John Harnden, and sundry other inhabitants of the towns of Woburn and Reading; setting forth their difficulties, by reason of their remote situation from the places of publick worship in their respective towns, and that they are commodiously situated to make a distinct *Precinct* of the North-easterly part of Woburn & the Westerly part of Reading; And therefore Praying that they may be set off from their respective towns accordingly by certain lines particularly set forth and described in the Petition."

"In Council: Read and dismiss'd." <sup>24</sup>

But though the above petition, for reasons not assigned, was rejected, yet it was soon followed by another from the same people, praying to be made a *Town*, which found more favor; as appears by the following minutes of the Court:

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<sup>23</sup> Town Records, Vol. VII., p. 10. Records of Court, Vol. XIV., pp. 393, 394.

<sup>24</sup> Records of Court, Vol. XIV., pp. 293, 294.

"At a General Court, begun & held at Salem Wednesday May 28, 1729, and thence by sundry prorogations & adjournments to Harvard College, Cambridge; and thence continued by prorogation to Boston Wednesday Nov. 19th. then met.

"Wednesday Nov. 26. 1729.

"A Petition of Daniel Pierce, Benjamin Harding [Harnden] and Samuel Walker, a Committee appointed by sundry Inhabitants of the North East part of Woburn and the Westerly part of Reading; Setting forth the difficulties they are under by reason of their remoteness from the Places of publick Worship in their respective Towns, And Praying to be sett off and constituted a distinct Township, according to their former Petition to this Court.

"In the House of Representatives Read & Ordered that the Petitioners serve the Towns of Woburn & Reading with a Copy of the Petition, that they shew cause on Fryday the sixth [fifth] of December next, why the Prayer thereof should not be granted.

"In Council Read & Concur'd." <sup>25</sup>

At a General Town Meeting in Woburn, December 3, 1729, two days before the day appointed by the Court for the parties to give in their answers to the above petitions; Messrs. Joseph Wright and Jacob Wyman, were chosen a Committee to answer on behalf of the town to the petition of the "Northeasterly part," or Goshen; and Dea. George Reed, Capt. Robert Convers and Mr. Caleb Blogget to answer to the petition of the "Northwesterly part," or Shawshin.<sup>26</sup> From the Town Accounts for 1729<sup>27</sup> it appears, that the hearing of the parties, December 5, before the Court, occupied two days; and the result was so far favorable to the petitioners, as that the Court chose a Committee from their own body to go upon the ground and judge for themselves concerning their ability to sustain municipal and parochial institutions, and then to make report to the Court, at their next session, what they considered right and proper to be done.<sup>28</sup> Notice was given to Woburn of the appointment of this Committee, and of the object of their coming; and at a meeting of the

<sup>25</sup> Records of Court, Vol. XIV., p. 323.

<sup>27</sup> Records, Vol. VII., pp. 42, 43.

<sup>26</sup> Records, Vol. VII., p. 39.

<sup>28</sup> Records of Court, Vol. XIV., pp. 330, 331.

Selectmen, December 16, 1729, they appointed Messrs. Jacob Wyman and Jacob Wright "in behalf of the Selectmen to attend the General Court's Committee, upon their view to Goshen & Shawshin; and Mr. Caleb Blogget to attend the Committee on their view upon Shawshin."<sup>26</sup> The Court's Committee, consisting of Hon. Jonathan Dowse and Hon. Spencer Phips, Esquires of the Council, and of Mr. John Hobson of Rowley, Maj. Daniel Epes of Salem, and Mr. Joseph Hale of Boxford, of the House, appear to have come to Woburn in the summer of 1730, and to have spent several days here upon the business of their appointment; and their report to the Court, given in at the fall session, being in favor of granting the prayer of the petitioners, Shawshin was incorporated as the Precinct or Second Parish of Woburn, September 16, 1730, O. S.; and Goshen with the westerly part of Reading, as a distinct town, by the name of Wilmington, September 25, 1730, O. S.; or September 27, and October 6, according to the present reckoning of time. The following is the report of the Court's Committee respecting Shawshin:

"Province of the Massachusetts Bay:

"Sept. 16th. 1730.

"Jonathan Dowse Esq<sup>r</sup>., from the Committee of both Houses, on the petition of divers inhabitants of the Westerly and Northwest parts of Woburn, praying for a new Precinct, gave in the following Report: Viz.

"The Committee appointed on the petition of the inhabitants of the Westerly and Northwesterly parts of Woburn, praying to be erected into a Township or Precinct: in obedience to the within order repaired to the land petitioned for, the Selectmen of said town as well as the Petitioners being first seasonably notified of the time of the Committee's going. And after having taken a full and careful view of the land, and heard the parties on the subject matter of the petition at large, and maturely and deliberately considered the same, and how far the town of Woburn may be hereby affected; are humbly of opinion, that it will tend greatly to the advancement of the public worship of God, that the lands within mentioned be erected into a separate and distinct Precinct, by the following Bounds; (there being a sufficient number of inhabitants therein to support and maintain the preaching of the Gospel there.)

Beginning at a great rock on John Lilley's land to the Northward of his Barn, extending thence on a line to a Bridge, about ten rods to the Southwesterly side of Timothy Snow's house, thence Southwesterly till it comes to Lexington line, two miles and an half to the Eastward of Billerica Corner; from thence Westerly to Billerica Corner; thence Northerly till it comes within one hundred poles of Abraham Jaques' land; thence to the Cold Spring Stone Bridge, near the figure of Four Tree 4; and from thence Easterly to the Rock first mentioned; excluding the house and barn of the said Timothy Snow, and [excepting?] whom, the Petitioners shall be erected into a Precinct. The Committee cannot but be of opinion, that the charge of supporting the Minister in the town or first Parish in Woburn, will still be very easy on the Inhabitants of that Parish.

"Which is submitted — In the name and by order of the Committee

"July 1, 1730.

"Jonathan Dowse."

"In Council Read and Ordered That this Report be accepted; and that the lands above bounded and described be erected into a separate Precinct accordingly, and that the Inhabitants thereof be vested with the powers and privileges that the inhabitants of other Precincts within this Province are or ought by law to be vested with.

"In the House of Representatives, Read and concurred.

"Consented to: J. BELCHER."<sup>29</sup>

"Report of the Court's Committee on the Petition of Goshen, etc., etc.

"Thursday Sept. 17. 1730.

"Jonathan Dowse Esq'r. from the Committee of both Houses on the Petition of the Inhabitants of the North Easterly Part of Woburn & the Westerly Part of Reading for a Township, gave in the following, viz:

"The Committee appointed to repair to the North Easterly Part of Woburn & Westerly Part of Reading, to hear all Parties within named, and view the land within described & petitioned for, to be a Township: Having first seasonably notified the Selectmen of Woburn & Reading, as also the Petitioners, of their going, have repaired to said Land, and taken a careful View of the same, and

<sup>29</sup> Records of Court, Vol. XIV., pp. 393, 394.



fully heard all the Parties therein concerned for & against the Prayer of the Petition ; And after mature consideration thereon in all its circumstances, are humbly of opinion, It is highly reasonable that the Prayer of the Petition be granted, and that the Lands within mentioned & describ'd, be erected into a separate & distinct Township, by those Metes & Bounds accordingly, with the following additional Bounds : The Line to extend from one hundred Rods to the Southerly side of Jaques's Farm to the Stone Bridge called the Cold Spring Bridge, near the Tree called the figure of Four Tree 4 ; thence on a Line to the Southerly Corner of John Townsend's land, lately & now in the possession of Timothy Townsend, about sixty rods Easterly from Woburn West Line : Which is submitted.

“ In the Name & by the Order of the Committee :

“ JONATHAN DOWSE.

“ In Council Read : and Ordered that this Report be Accepted, and that Order [be taken] thereon [that] the Petitioners bring in a Bill accordingly.

“ In the House of Rep. Read & Concur'd.”<sup>30</sup>

Thus was accomplished a separation, very important in its consequences to the town of Woburn, after it had been in agitation five years. By it, of three hundred and twelve persons who had been taxed to pay Rev. Mr. Jackson's salary in August 1730, while the town yet remained undivided, forty-three had been set off, in 1731, to Wilmington, and eighty-two were included within the bounds of the Precinct or Second Parish ; making in all, two-fifths of the whole number of persons who had belonged to the First Parish in Woburn in 1730, and been then taxed in it, but who now paid their minister tax elsewhere : inflicting a blow on the First Parish in Woburn, from which it did not recover for many years, as we shall see hereafter.

While steps were taking for the legal accomplishment of this separation, the majority of the town were busily engaged, and finally succeeded in promoting the settlement of a colleague with the senior pastor, Rev. Mr. John Fox. This had become a strictly necessary measure, although the urgency of its friends to complete it, before the then contemplated separation of a very numerous

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<sup>30</sup> Court Records, Vol. XIV., p. 395.

and respectable portion of their fellow citizens from the town or First Parish could be carried into effect, could not but give rise to suspicions that were injurious to their reputation. For a number of years, Mr. Fox had been in a feeble state of health, and often unable to perform his ministerial duties. As far back as 1722, there are four charges in the Town Accounts, for that year, for the hire of preachers, "when Mr Fox was sick."<sup>31</sup> At a meeting of the Selectmen, December 13, 1725, after agreeing with Mr. Samuel Jennison (subsequently minister of Shrewsbury) to keep the grammar school in Woburn, three months, from December 15, they add in the Records, "And we do expect that the said Samuella Jennison should assist to preach for y<sup>e</sup> Rev. Mr Fox, as often as occasion should serve, he being often indisposed and uncapable to preach."<sup>32</sup> And, accordingly, the Town Accounts for 1725 do show that Mr. Jennison preached for Mr. Fox, while keeping school, ten Sabbaths and one-half day, at the town's expense;<sup>33</sup> and in 1726, the same Mr. Jennison preached two Sabbaths more; and Mr. Habijah Weld, sixteen Sabbaths, at the expense of the town.<sup>34</sup> And at subsequent periods, the charges are not uncommon for the supply of the pulpit by the town, in consequence of Mr. Fox's illness, and the prospect seemed to be, that unless stated, settled help were soon provided for him, he would become ere long, altogether unable to carry on the work of the ministry.

Accordingly, at a general meeting, April 4, 1728, the town voted, first, "that it was high time to be in a way to settle another minister among us;" and 2dly, "that the town would hear three or four ministers preach severall Sabbath days, in order to settle one to help Mr. Fox."<sup>35</sup> The only prominent candidate for this office, whom they appear to have employed, was Mr. Edward Jackson of Newton, a graduate of Harvard College in 1719. In him, the people became speedily so far united, that at a town meeting, July 18, 1728, the church having previously informed the inhabitants of their choice of him "for

<sup>31</sup> Town Records, Vol. VI., p. 157.

<sup>32</sup> Town Records, Vol. VI., p. 146.

<sup>33</sup> Town Records, Vol. VI., p. 262.

<sup>34</sup> Town Records, Vol. VI., pp. 292, 294.

<sup>35</sup> Town Records, Vol. VI., p. 347.

their minister, in order to his further settlement with them in convenient time," the town immediately chose him, "by 145 votes, for a Minister for the town of Woburn."<sup>36</sup> They also appointed a committee of ten to inform Mr. Jackson of the choice of him by the church and town for their minister, viz: the four deacons, Samuel Walker, William Lock, George Reed, and James Thompson; also, Messrs. Joseph Wright, Samuel Richardson, John Fowle, Jonathan Poole, Jacob Wyman and Capt. Stephen Richardson; and having directed this committee to see to the supply of the pulpit in the mean while, they adjourned the meeting to the first Tuesday in September next ensuing.

At this adjourned meeting, September 3, 1728, it was voted to grant "to Mr. Edward Jackson two hundred and fifty pounds settlement, if he settle in the work of the Ministry in Woburn;" and also "one hundred and twenty pounds salary per year in Bills of Credit, as the money now is, so long as he carries on the work of the ministry in Woburn."<sup>37</sup> After re-appointing the former committee, and requesting some of them to go to Mr. Jackson, and persuade him to come to Woburn and preach the next Sabbath day, they adjourned the meeting to September 23, and then again to October 14, 1728.

In the mean while, Rev. Mr. Fox had begun to manifest uneasiness at the proceedings going on. What the cause of his uneasiness was, we are not told. But when it is considered, that, according to well substantiated tradition, these two ministers showed afterwards a rooted antipathy to each other, it seems no improbable supposition, that Mr. Fox had already imbibed a personal prejudice against Mr. Jackson, and that he felt averse to receive him as his colleague. To obviate the difficulty, whatever occasioned it, the town, at their adjourned meeting, October 14, 1728, chose a committee of nine, "to goe to the Rev. Mr Fox to see if they can make things easy with him; and if there be need, they shall goe to some of the neighbouring ministers." The committee chosen for this pur-

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<sup>36</sup> Town Records, Vol. VI., p. 349.

<sup>37</sup> Town Records, Vol. VI., p. 350.

pose were Ensign Samuel Blogget, Messrs. Jonathan Thompson, Josiah Johnson, John Tidd, Senr., Deacons Lock, Thompson, Walker, and Reed, and Lieut. Peirson Richardson, who were also to go and treat with Mr. Jackson "to supply the pulpit for the present": and to the above numerous committee, they voted at an adjournment of this meeting, November 11, 1728, to add four men more, viz, Mr. Jacob Wyman, Jonathan Poole, Esq., and Messrs. John Peirce and Joseph Wright.<sup>38</sup>

This large, overwhelming committee of thirteen (with help from neighboring ministers, if needed) appears either to have persuaded Rev. Mr. Fox freely to give his consent to Mr. Jackson's settlement with him as a colleague, or (which is more probable) to have extorted from him a reluctant, unwilling assent to it. And Mr. Jackson seems to have given an affirmative answer to the call he had received from the church and town to the pastoral and ministerial office, in the course of that winter. For, at the annual town meeting, March 3, 1728-9, it was voted that the former committee, chosen October 14, and November 11, 1728, "should be a committee still, in power to proceed with the Church in bringing forward the ordination of Mr. Edward Jackson; and to proceed in calling such help of Elders and Churches, as should be necessary in that case: and that they be a committee to proceed to supply the pulpit, untill the matter be accomplished, or further order of the Town be given them."

And, further, it was voted, that "the Town would by a free Contribution pay for preaching for the present, to Mr. Edward Jackson, if he supply the pulpit, till the Town see cause to come into some other method."<sup>39</sup>

Agreeably to the vote at March meeting, 1729, due preparations for the solemnity having been made by the committee, Rev. Mr. Edward Jackson was ordained as colleague pastor with Rev. Mr. John Fox over the church of Woburn, August 1, 1729.<sup>40</sup> What churches were sent to on the occasion, and what the exercises were of the solemnity, and by whom conducted,

<sup>38</sup> Town Records, Vol. VI., pp. 350, 351.

<sup>39</sup> Town Records, Vol. VI., p. 370.

<sup>40</sup> Town Records, Vol. VII., p. 11.



no known memorial has been preserved. The Town Records however have transmitted some account of the splendid and costly entertainment made by the town at the ordination, in a bill of Jonathan Poole, Esq., who was employed to provide it. The following is a copy :

“To Mr Jonathan Poole Esq<sup>r</sup> for subsisting the Ministers and Messengers and Gentlemen in the time of Mr. Jackson’s Ordination :

“To 433 Dinners a 2 <sup>s</sup> : 6 <sup>d</sup> a Dinner	.	£54: 2: 6 <sup>d</sup>
“To Suppers & Breakfasts, 178: .	.	08: 18: 0
“To keeping 32 horses 4 days: .	.	3: 0: 0
“To Six Barrils & $\frac{1}{2}$ of Cyder	.	4: 11: 0
“To 25 Gallons of wine	.	9: 10: 0
“To 2 Gallons of Brandy & 4 Gallons Rhum	.	1: 16: 0
“To Loaf Sugar, Lime Juice & Pipes	.	1: 12: 0

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“£83: 9: 6.” <sup>41</sup>

Here is a bill, amounting to more than two-thirds of a year’s salary pledged to Mr. Jackson, for articles consumed at his ordination entertainment. Our fathers were, generally speaking, very prudent men in their use of money; and more apt to be parsimonious than profuse in their expenses for public purposes. But here is an instance, that, in a comparative view, seems to be well entitled to the charge of extravagance. And such was the general character of ordination expenses during the last century. How came it to be so? Ordinations in the times of the Apostles, were solemnized with prayer and fasting.<sup>42</sup> Such, too, was the custom in the Church of England, from which, for greater purity’s sake, our ancestors separated. In that Church, all ordinations are appointed to be held, exclusively, upon the Sundays immediately following the Ember

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<sup>41</sup> Town Records, Vol. VII., p. 42. Esquire Poole’s bill against the town for expenses at Mr. Jackson’s ordination was not the only one. Another follows: “To Mr Noah Richardson for keeping the Ministers’ & Messengers’ horses, in the time of Mr Jackson’s ordination . . . £2.0.0.” — *Town Records, Vol. VII., p. 43.*

<sup>42</sup> Acts xvi. 3.

weeks, (as certain stated quarterly solemnities were called,) that were set apart for this purpose among others, to implore, with fasting and prayer, the divine blessing upon the candidates, then to be brought to the bishop to be ordained.<sup>43</sup> Such, also, was the custom of the Presbyterians, who rose upon the ruins of Episcopacy in the time of the Westminster Assembly. Through their influence, an ordinance was made by Parliament, directing that all ordinations should be performed with prayer and fasting.<sup>44</sup> And such, too, was the custom of our Puritan ancestors themselves, at their first settlement in this country. Their earliest ordinations were wont to be celebrated on days of solemn fasting and prayer.<sup>45</sup> Whence then the change? This can be accounted for, it seems, only in this way. The earliest ordinations here were performed by the churches themselves, over which candidates were to be ordained, without the aid of the elders of other churches. But when it became common for churches, over which pastors were to be ordained, to ask sister churches abroad to aid by their elders and messengers in the solemnity, then it became necessary to provide for their hospitable entertainment. And entertainments on such occasions, at first probably plain and simple, and by no means to be censured, came at length to be sumptuous: and hence ordinations, from being solemn religious services, degenerated in too many instances, into occasions of excessive feasting and noisy dissipation. An aged minister in this county once said in my hearing, that at his ordination, about half a century previous, such was the noise and confusion on the common before the meeting-house, that the exercises within it could scarcely be heard. And ordinations and commencements, where it might be reasonably expected that good order and decorum would prevail, became too often scenes of noisy mirth and excess.

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<sup>43</sup> Wheatly on the Book of Common Prayer, Appendix to Chapter IV., Section 2; and Chapter V., Section 2.

<sup>44</sup> Neal's History of the Puritans, Vol. III., Chap. vi., pp. 281, 282.

<sup>45</sup> Winthrop's History, by Savage, Vol. I., pp. 36, 114, 135, 259.

## CHAPTER IX

Variance between Rev. Messrs. Fox and Jackson. — Lawsuits of Rev. Mr. Fox, and of Rev. Mr. Jackson, against the Town, 1732, 1740. — Sale of the 2,000 Acres in 1734. — Management of the Committee of Trust till 1772.

THE preceding chapter of this history of Woburn gives an account of the settlement of Rev. Edward Jackson, as colleague pastor with Rev. John Fox, in 1729; and of the incorporation of the northerly quarter of the town, or Goshen, as a distinct town, by the name of Wilmington, and of its northwesterly quarter, or Shawshin, as its Second Precinct, in 1730. These measures had been rendered in a degree necessary, by the failure of Mr. Fox's health, and by the remoteness of the districts just named from the place of public worship. Still, their immediate consequences to Woburn were embarrassing or disastrous, and gave an apparent check to its previous prosperity, from which it did not fully recover for many years.

The separation of Wilmington from Woburn gave rise at once to numerous perplexing questions, respecting taxes for the ministry, paupers, and the undivided lands of Woburn that lay within the bounds of Wilmington. In one or two instances, these questions were settled by mutual agreement. But most of them were put to rest only by the decision of the judicial tribunals of the County, or by the positive refusal of Woburn to act upon the petitions of Wilmington in relation to them. For example, at the first town meeting held in Wilmington, October 20, 1730, a committee of three was appointed to attempt the recovery from Woburn of their proportion of Rev. Mr. Jackson's settlement money and first year's salary.<sup>1</sup> This had been assessed upon those inhabitants of Wilmington who belonged originally to Woburn, within a month after Mr. Jackson's ordination, and but

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<sup>1</sup> Wilmington Town Records, Vol. I., p. 2.

little more than a year before their incorporation into a separate town. But as the money was assessed and demanded of them after they had petitioned to be erected into a distinct township, and while the General Court actually had their petition under consideration, they thought themselves fairly entitled to a reimbursement of what had been exacted of them under such circumstances. Accordingly, a petition to this end from Wilmington was exhibited at town meeting in Woburn, March 1, 1730-1, with a request that an article, correspondent to it, might be inserted in the warrant for their meeting in May. But this unwelcome petition was at once summarily disposed of. No sooner was it read, than the inhabitants of Woburn refused by vote to notice it in the warrant referred to; and the subject does not appear to have been ever brought before them by Wilmington again.<sup>2</sup>

In the mean while, the inhabitants of the precinct could not rest content with their newly acquired parish privileges, but aspired at those of a town, like those of their neighbors at Wilmington. At a precinct meeting, January 24, 1733-4 (which was less than four years after their legal separation from the First Parish), they chose a committee to apply to the Selectmen for a town meeting, to see if Woburn would consent to their being set off as a town by themselves, with their proportionate share in its lands, revenues, etc.<sup>3</sup> And so zealous were they for this measure, that within a little more than seven years from this time, two other committees were successively chosen by them with this end in view.<sup>3</sup> Whether the town was harassed with applications from each of these three committees does not appear from the Records. The petition presented by the one first elected, and laid before the town at a meeting February 19, 1733-4, received so much attention, that a committee of five was then chosen to confer with the Precinct Committee, and agree upon proposals to be acted upon at an adjourned meeting. But when the town came together at the adjournment, they negatived the precinct's request.<sup>4</sup> And though the scheme

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<sup>2</sup> Wilmington Records, Vol. I., p. 2. Woburn Records, Vol. VII., p. 86.

<sup>3</sup> Precinct Records, Vol. I., pp. 49, 99, 119.

<sup>4</sup> Town Records, Vol. VII., p. 165.



of being erected into a separate township was afterwards repeatedly revived in the precinct, yet it was without success till about the close of the last century.

All these and other like questions and petitions, arising out of the measures alluded to in the beginning of this chapter, were in themselves sufficiently annoying; and whether founded in reason and equity or not, yet being urged with zeal, and some of them with a persevering importunity, they must needs have been to the town a source of much perplexity and vexation.

But there were ill consequences to Woburn, growing out of Mr. Jackson's ordination, and the incorporation of Wilmington and the Second Parish, which were far more serious than those just mentioned.

One was, the well known unhappy dissension between the ministers of the First Parish, Rev. Messrs. Fox and Jackson, and the consequent division of their people into parties. On what precisely this dissension was founded, has not been transmitted for our information. Not improbably, Mr. Fox conceived early a personal dislike to Mr. Jackson, or took offence at something advanced in his preaching; and this was afterwards, perhaps, increased by viewing him as the occasion of diverting his people's affections and kind attentions from himself, and possibly, too, by Mr. Jackson's neglecting to show him all the respect and deference to which he thought himself entitled as the senior pastor.

But however the difference between them originated, it certainly commenced with Mr. Jackson's ministry at Woburn:<sup>5</sup> and, instead of diminishing as time progressed, and acquaintance with one another increased, it grew into a settled, thorough aversion; so that, as tradition says, they would not speak to each other in the pulpit. And this mutual alienation of these two professed servants of the Prince of peace, had a most baleful effect upon his cause in this place. Particularly, it became an occasion of division and bitter animosity among the people of their charge. Every man in the parish had his

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<sup>5</sup> First Parish Records, Vol. I., p. 238. Petition.

preference for one minister or the other. And these partialities set the friends of each in hostile array against the friends of the other, and long made the town a scene of frequent strife and contention. An aged and very intelligent citizen of Woburn, now deceased,<sup>6</sup> once observed to me, that his parents used to tell him in his youth, that these parties far exceeded those which arose more recently in Rev. Mr. Sargeant's day, in their bitterness towards one another; so that when two opponents met in the street, both would often be ready to fight, before one would give the other the wall. With such feelings towards one another in the week time, it is not surprising, that they could not always worship comfortably together on the Sabbath; nor that the lamentable alienation of these two ministers, and its consequences upon their people, should furnish, as it eventually did, a successful plea for a further division of the First Parish into the First and Third.

Another most serious evil to Woburn, resulting from Mr. Jackson's ordination. and from the separation of Wilmington, and of the Second Parish from the First, was the increased difficulty of sustaining the ministry in the First Parish, and the consequent repeated and unsuccessful lawsuits with Mr. Fox. From 1716 to 1728, when the town was rapidly advancing, both in numbers and wealth, and Mr. Fox was its only minister, the burden of his salary was comparatively light; and, repeatedly during that period, the town, of its own accord, voted a handsome and continually increasing addition to his stated compensation, corresponding to the increasing depreciation of the currency in which it was paid. But as soon as the infirm health of Mr. Fox had made it evident that a new minister must be settled, and the prospect opened of the success of Goshen and Shawshin in their attempts at separation, the accustomed generosity of this people towards their aged minister ceased, and was soon followed by a seeming reluctance even to do him justice. For each of the years, 1729 and 1730, they granted him only £80, his nominal salary, paid in depreciated bills of credit;

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<sup>6</sup> Mr. Bartholomew Richardson.

and in 1731 and 1732, when the incorporation of Wilmington and the Second Parish had left them with two ministers to maintain, and diminished means for doing it, they wholly neglected to raise any sum whatever for his support.

This ungenerous (not to say unjust) treatment of their senior pastor, was not, however, without plausible pretexts to palliate or excuse it, and perhaps, in the eye of some, to justify it. In 1704, when the town covenanted to give Mr. Fox an annual salary of £40 in money, and £40 in corn and other provisions at market price, paper money (then but recently introduced into the country) had fallen but little below its nominal value; and hence no clause was inserted in their contract with him, as there was afterwards in that with Mr. Jackson, providing against depreciation in the currency, and engaging to make his salary always as good as it was when first granted. Moreover, in regard to the continuance of that contract, it was expressly stipulated in it, that it was "to remaine so long as the said Mr John Fox shall continue and carry on the whole work of the Ministry in Woobourne:"<sup>7</sup> and, therefore, when blindness and sickness rendered him unable, for the time, to labor in his vocation, and Mr. Jackson was ordained as a colleague pastor to assist him, or supply his place, this contract became in law, strictly speaking, null and void. Hence, when the town voted him, in 1729 and 1730, £80 per annum in bills of credit, which had then sunk more than one-half below their nominal value,<sup>8</sup> the people still did as much as the letter of their contract required; and when they failed the two following years to grant him any salary whatever, they might still plead in their defence, with some color of reason, that they had broken no engagement: that their original contract with Mr. Fox had expired, and there was no other to fulfil.

This difficulty, arising from the failure of his contract, Mr. Fox seems to have anticipated with uneasiness, and to have

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<sup>7</sup> Town Records, Vol. IV., p. 270.

<sup>8</sup> Felt on Massachusetts Currency, pp. 83, 135. "In 1710, Bills were worth at the rate of 8/ for an ounce of silver." "In 1730, Bills were in proportion of 21/, 20/, and 19/ for one ounce of silver."



objected, in view of it, to the ordination of Mr. Jackson as his colleague, unless the town would come into some new engagement with himself respecting his future support. For, at a town meeting, October 14, 1728, shortly after the inhabitants had given to Mr. Jackson a call to the ministry, and while they were treating with him about his settlement, they chose a large and highly respectable committee of nine, which was subsequently enlarged to thirteen, "to goe to the Rev<sup>d</sup> Mr Fox to see if they can make things easy with him; and if there be need, they shall goe to some of the neighbouring ministers."<sup>9</sup> What the uneasiness of Mr. Fox was, which this committee was to attempt allaying, is no where explained in the Records. Possibly, it arose from the disaffection he had felt, from the beginning, towards Mr. Jackson, and the dreary prospect of being connected in the ministry for life with one whom he could not cordially approve. It is more likely, however, that his uneasiness was occasioned by anxiety respecting his support after Mr. Jackson should be settled, and his own contract should cease. But if this were so, this committee had no authority from the town to enter into any new engagement on their behalf with Mr. Fox respecting his compensation. All they were expected to do was, by fair words, to persuade him to waive his objections to Mr. Jackson's ordination for the present: and when that solemnity was over, the town would be left at liberty to act on this subject as it pleased.

But though the town's contract with Mr. Fox at settlement was now expired, and could avail him nothing to compel his people to pay him annually the salary stipulated therein, yet they were not released hereby in *equity* from all obligations to him. He was still their ordained, settled minister.. No dismissal from office had ever been asked on his part, or granted on theirs. No charge of immorality, no complaint of incompetency or unfaithfulness in the discharge of his ministerial duties had been alleged against him. He had labored for their good nearly thirty of the best years of his life, without complaint on their

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<sup>9</sup> Town Records, Vol. VI., pp. 350, 351.



part, and apparently to their general acceptance: and now that the hand of God was upon him, afflicting him with weakness of body, and blindness of eyes, this surely was no valid reason for casting him off in his declining days, and turning him adrift on the world, to get his living as he could. Under the circumstances of his case, both the law of equity held them bound to make some competent provision for his support, and the then law of the land obliged them to do it.

Of these, his claims both in law and equity upon his people, Mr. Fox was well aware. And, therefore, having repeatedly remonstrated with them for their neglect, and waited patiently for the desired result without success, he was at length compelled, by his necessities, to commence a legal prosecution. In the spring of 1732, he entered a formal complaint with the Court of Sessions for this County, praying for their interference on his behalf. This received a hearing at Cambridge in July: and hereupon an Order of Court was duly issued for serving the Town Clerk of Woburn with a copy of Mr. Fox's complaint or petition, and for citing the town to appear and answer to it at their next session. At a town meeting in Woburn, November 2, 1732, called, apparently, on purpose to consider what should be done in the case, a motion was made by some for the choice of a committee to settle the difficulty with Mr. Fox, before any further proceedings of the Court were had: but the majority were for standing a trial. And, accordingly, Messrs. Josiah Johnson, Samuel Richardson and Jacob Wyman were chosen a committee on behalf of the town, "to answer the Revd Mr Fox's Complaint, [then] depending in Court, and to appeal, if they saw cause, from Court to Court," unto a final issue.<sup>10</sup> Both parties had a hearing before the Court of Sessions at Charlestown in December; and the case was decided in favor of Mr. Fox. The subjoined extract from the records of that Court, to which are added the names of the places where the Judges belonged) exhibits a concise view of Mr. Fox's complaint, of Woburn's defence by its committee, and of the judgment of the Court, with the grounds upon which it was based.

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<sup>10</sup> Town Records, Vol. VII., p. 123.

“Middlesex ss. At his Majesty’s Court of General Sessions of the Peace, begun & held for & within the County of Middlesex at Charlestown on the Second Tuesday in December, being the twelfth day of said Month Anno Domini One thousand seven hundred and thirty two, In the sixth year of His Majesty’s Reign, By His Majesty’s Justices of said Court :

“JONATHAN REMINGTON [Cambridge]	} “Justices of Said Court.”	Esq <sup>r</sup> .
JONATHAN DOWSE		
CHARLES CHAMBERS } [Charlestown]		
FRANCIS FULLAM [Weston]		
JOSEPH BUCKMINSTER [Framingham]		
THOMAS GREAVES [Charlestown]		
FRANCIS BOWMAN [Cambridge]		
ELEAZAR TYNG [Dunstable]		

“Upon reading the Petition and Complaint of the Rev. Mr John Fox of Woburn in the County of Middlesex, Clerk, Showing that whereas the Petitioner has been settled in the work of the Ministry in said Town for more than twenty eight years past, Which work and duty your Petitioner chearfully discharged in said Town for many Years, but God having in his Providence so ordered it that for more than four Years past the Petitioner has been labouring under great bodily pains and weakness, insomuch that he hath thereby been almost wholly taken off the duties of his function : And whereas there has been a neglect of the Inhabitants of said Town in makeing sufficient provision for the support of the Petitioner for some years past, Viz<sup>t</sup>. Seventeen hundred twenty nine & Seventeen hundred thirty, At or before which time the Contract between the Petitioner & said Town was expired, Allowing him but Eighty Pounds per Annum in Province Bills, as may be made to appear by Town Records : And whereas there has been a total neglect of makeing any Provision at all for the support and maintenance of the Petitioner for almost this year and half last past, Viz<sup>t</sup>. from the year Seventeen hundred thirty, Notwithstanding his repeated Applications for relief ; the Petitioner with the greatest Concern and Sorrow is obliged from the most pressing Necessities as a Gospel Minister now to address the Court that they would consider his condition so far as to order him a Competent Allowance for his relief and maintenance as the Law has made provision for remedy & redress where such neglects have been, As by the Petition or Complaint on file : Which Petition was preferred at

the Court of the General Sessions of the Peace holden by Adjournment at Cambridge on the first Tuesday of July last, When it was ordered that the Selectmen of Woburn be served with a Copy of the Petition by the Petitioner that they appear at the then next Court to shew Cause (if any they have) why the Prayer of the Petition should not be granted, When the Consideration of the Petition was continued to this Term :

“ The Parties by their Attorneys now appearing, and after a full hearing of the Pleas and Allegations of the Petitioner together with the Answer of the Committee of the Town of Woburn, who Insist upon an Agreement made by the said Town with the Petitioner some time after his settlement amongst them, it appearing by the Confession of the said Committee that no Allowance has been made for the Support of the Petitioner since the fourth day of March seventeen hundred thirty three, And that the Petitioner is & continues to be a Settled Minister in said Town, and was never as yet discharged therefrom, And that by the Providence of God, and for no other reason the Petitioner is disabled from discharging his Office as a Minister of the Gospel amongst them, And no Contract appearing (now in force) whereby any Support or Maintenance is provided for the Petitioner during such his Inability as aforesaid, or that can Enervate the force of the Law of this Province, enabling the Court of General Sessions of the Peace effectually to provide for the Support of Ministers not otherwise provided for : It's therefore Considered by the Court that the Sum of Eighty Pounds in Money or good Bills of Credit on this Province for the Year Seventeen hundred thirty three, As also the Sum of Eighty pounds in like money for the Year Current, Viz<sup>t</sup>. Seventeen hundred thirty four be allowed to the Petitioner for his Support and Maintenance. And Ordered that a Warrant from this Court Issue out to the Selectmen of said Town requireing them forthwith to Assess the Several Sums before mentioned on the Inhabitants of said Town in manner & proportion as the Law in that Case provided doth direct, And Cause the same to be Levied by the Constables of said Town by a warrant under the hands of the said Selectmen or of the Town Clerk by their Order, And that they pay the same unto the Petitioner on or before the first day of May next. Also that the Petitioner shall Recover and have of the said Town of Woburn his Costs of prosecution taxed at two pounds sixteen shillings & six pence.” <sup>11</sup>

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<sup>11</sup> Records of Court of Sessions for Middlesex, Vol. from 1723 to 1735, p. 291.

From this judgment of the Court of Sessions, the Committee for Woburn saw fit to appeal to the Superior Court of the Province. But their appeal was to no purpose. At the next session of the Superior Court, holden at Charlestown, January 30, 1732-3, both parties appearing, and being fully heard, the Court decided as follows: "It's Considered & Ordered by the Court, that the former Order or Judgment of the Court of General Sessions of the Peace be and hereby is confirmed with additional Costs of this Court."<sup>12</sup> Accordingly, the next month, £164 15s. 6d., the whole amount recovered by Mr. Fox in this suit, including costs, was assessed upon all the inhabitants of Woburn in both Parishes, and then paid over to Mr. Fox, agreeably to Order of Court of Sessions.<sup>13</sup>

But now arose a new difficulty in relation to this subject. The inhabitants of the precinct felt aggrieved by the decision of the Court of Sessions, ordering them virtually (being inhabitants of Woburn) to be taxed for the years 1731, 1732, for the support of a minister of the First Parish, from which they had been set off upwards of two years.<sup>14</sup> And when they found that decision was confirmed by the Superior Court, and was actually being carried into execution, they resolved to apply to the Legislature for redress of this conceived violation of their corporate privileges. At a precinct meeting, March 7, 1732-3, it was voted, "that Lieut. Edward Johnson, and Ensign James Proctor be a Committee to address the Great and General Court in the name and behalf of the Inhabitants of said Precinct, that they may be dismissed from paying any part of the eight score pounds of money that the Court of General Sessions of the Peace ordered the town of Woburn to pay to the Reverend Mr Fox, one of the Ministers of the first parish in said Woburn."<sup>15</sup> This committee preferred a petition to the Legislature in June, 1733, which was read a second time, "together with the Answer of the first Parish in Woburn," August 16, of the same year. And both parties being heard

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<sup>12</sup> Records of Sup. Court for Middlesex, kept at Boston, 1730-1734, leaf 230, p. 2.

<sup>13</sup> Town Records, Vol. VII., pp. 136-139.

<sup>14</sup> Precinct Records, Vol. I., p. 36.

<sup>15</sup> Precinct Records, Vol. I., p. 39.



thereon, the Court decided that the prayer of the petition should not be granted. The Court ordered, however, at the same time, that the Second Parish in Woburn should be "exempted from any charge in the maintenance of the Rev. Mr John Fox from the end of the year 1732"; throwing hereby, for the future, the whole burden of Mr. Fox's support, as well as of Mr. Jackson's, on the First Parish. In consequence of this order of the Legislature, the union which had subsisted hitherto from the beginning, in the ordering of the parochial and of the municipal affairs of Woburn, was now dissolved. All questions concerning the settlement and salaries of ministers, which, till this time, had been considered and determined in meetings of the town, were henceforth to be decided, as at the present day, in meetings of the several parishes or societies; and their votes respecting them to be registered, together with all ministerial taxes, in their own proper records.

The claims of Mr. Fox upon his people for a competent support had now been established both by the Legislative and by the Judicial authorities of the Province. Still, a majority of the First Parish of Woburn persisted to overlook or contest them. Nothing was raised in Parish meeting for his maintenance during four years, from March 1732. And the consequence was, two more complaints to the Court of Sessions by Mr. Fox, in 1734 and 1736;<sup>16</sup> and two more judgments by that Court in his favor; the former of which judgments was likewise confirmed, upon appeal, by the Superior Court.<sup>17</sup>

Thus, within the space of four years, the principal Religious Society in Woburn had three lawsuits with their senior pastor respecting his salary. But notwithstanding the great expense of these altercations, and the irritation and bitterness usually attendant upon such contests, the prevailing party in the parish was not yet quite satisfied. No money was raised for Mr. Fox at the annual meeting in March 1737; and hence another complaint was made by him to the Court of Sessions at Cambridge, in May. This complaint was subsequently withdrawn from Court, in pursuance of an accommodation effected between Mr. Fox and the

<sup>16</sup> First Parish Records, Vol. I., pp. 38, 63. <sup>17</sup> First Parish Records, Vol. I., pp. 47, 48, 71, 74.

parish at a meeting, where, happily more pacific counsels than usual prevailed.<sup>18</sup> But at the annual meeting in March of the next year, the old spirit of contention revived, and the claims of Mr. Fox were once more utterly disregarded. Within a few weeks, however, and apparently before there was opportunity for lodging another complaint with the Court of Sessions, a parish meeting was called, at the instance of certain peaceably disposed persons, to see what sums of money the parish would grant for the support of the Rev. Mr. Fox, or otherwise to "do that which may be to the satisfaction of the said Mr. Fox, and the peace and safety of the Parish." At this meeting, which was held May 15, 1738, the majority being well aware of the uselessness of contending with Mr. Fox in the law, had recourse to artifice to carry their point. They voted "that they would give the Reverend Mr John Fox seventy pounds in good passable Bills of Credit for the present year as a Gift, provided he will discharge the parish in full until the fourth of June 1738."<sup>19</sup> The motives which prompted this vote were obviously an unwillingness to own their obligations to him in equity, by granting him anything as salary; and also a desire to draw from him, unawares, an implicit acknowledgment that what he received from them was a gratuity, and not his just due. But their Fox was too cunning to be caught in the trap thus insidiously set. At their adjourned meeting, four days after, he sent them, by their committee appointed to inform him of the above vote, the following letter in reply.

"Woobourn May ye 19th. 1738.

"To the Freeholders and other Inhabitants of the First Precinct or Parish in Woobourn now convened at the meeting house: First. As to your late vote of the seventy pounds by way of Gift, I am always ready with thanks to acknowledge your goodness therein: And I shall receive it as a Gift, and no otherwise; but can by no means upon my receiving it, discharge the parish of my salary to the fourth of June 1738: which is the hard condition of the voted Donation.

"2ly. If you will allow me for this present year (which expires the fourth of June next ensuing) the sum of Eighty pounds as salary for my support, I will accept of it for the sake of peace, rather than contend in

<sup>18</sup> First Parish Records, Vol. I., pp. 81, 82.

<sup>19</sup> First Parish Records, Vol. I., pp. 99, 100.

the Law, and discharge the parish for said year. I can uprightly say it is very grievous to me that I should be any ways burthensome to my people, when I can be no more serviceable in the station in which God has placed me. I shall at all times be ready to serve you to the utmost of my power.

“3dly. As to the year coming on, I offer the parish to be at the charge of supplying the pulpit one half of the time, for the same allowance which of late you have made to the Rev. Mr Jackson, my Colleague.

“Thus praying that the God of peace would give you peace allways and by all means, I remain

“Your affectionate Pastor

“JOHN FOX.”<sup>19</sup>

Upon the reading of this letter, the same day it was written, the Parish voted, after some debate, to give Mr. Fox £75 for his support the then current year, if he would give them a discharge in full to its close on June 4th; and to this proposal, Mr. Fox appears to have afterwards consented, although the sum voted fell somewhat short of his offer.<sup>19</sup> And now commenced a remarkable change in the Parish for the better, in their treatment of their senior pastor. True, both church and parish saw fit to decline his offer to be at the charge of supplying the pulpit half the time that year for the same compensation they allowed Mr. Jackson. But in other respects, they showed themselves wonderfully compliant. Weary of fruitless contention with him in the law, disappointed in all their expectations of getting the advantage of him, and influenced too, it is probable, by respect for his age and the remembrance of his former usefulness, and by a returning sense of their obligations to him in equity, which recent unhappy occurrences had weakened or interrupted, they henceforth, for several years, and with apparent readiness, made honorable provisions for his maintenance. At March meeting, the year following, 1738–9, they granted him £80, in Bills of Credit; and this sum they gradually enlarged to £90, £95 and £100 of the same currency, in some measure corresponding to its constantly declining value. And this course, so honorable to themselves, they continued to pursue, till the separation of the Third Society from the First gave rise to new difficulties and distractions, and led to new arrangements for Mr. Fox's support, as there will hereafter be occasion to show.

But the contentions of Woburn with the ministers of its First Parish at that period were not yet at an end. Now that Mr.

Fox had passed the ordeal, Mr. Jackson's turn came next. At the time this gentleman was settled in Woburn, (viz: August 1729,) the town contracted to give him a salary of £120 per annum "in Bills of Credit, as the money now is"; or, as its vote on another occasion expressed it, £120 in Bills of Credit, "as they now pass."<sup>20</sup> These phrases, "as the money now is," and "as they now pass," in the town's contract with Mr. Jackson, or explanatory of it, were doubtless intended, and for years were understood to signify, that if there should be in future any further depreciation in the Bills of Credit in which Mr. Jackson's salary was to be paid, they would annually add enough to his compensation to make it equal in value to what it was at his settlement, in 1729. As was probably anticipated, these Bills continued from that date to decline from their nominal value.

No remuneration, however, on this account was either asked by Mr. Jackson, or offered by his people, till 1735. That year, at the request of Mr. Jackson, the Parish Committee called a meeting of the parish, to be held on the 1st of July, to consider and act upon the subject. To the warrant issued by them on this occasion, the preamble reads thus: "Whereas considering the great fall of the paper currency, or Bills of Credit since the year 1729, the year the Rev<sup>d</sup> Mr Jackson settled in the work of the Ministry here, and he having never had allowance or consideration therefor, according to the vote then passed, relating to his annual support, that he should have 120 pounds per annum *as the money then was*," etc., etc., etc. These words of this preamble plainly show how the Parish Committee, and probably all Woburn, understood the provisions of Mr. Jackson's contract at that day.<sup>21</sup> At the meeting then called, it was voted (and, apparently, without debate or opposition) that Mr. Jackson should have £100 in Bills of Credit, as a recompense for their depreciation during the six years he had been settled in the place: and Mr. Jackson, being present, expressed his satisfaction with the grant, and did freely remit £20 of it to

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<sup>20</sup> Town Records, Vol. VI., p. 350; VII., p. 11.

<sup>21</sup> First Parish Records, Vol. I., pp. 51, 52.



the parish. Similar grants, in view of the diminished and constantly diminishing value of the paper currency of that day, were made to Mr. Jackson the next four years, amounting in all to £140; and were all accepted by him in full satisfaction of his demands on this account. But here the harmony, which had hitherto subsisted between minister and people upon this subject, was, for a while, broken up. In a warrant for a parish meeting, December 7, 1739, respecting the two ministers, one article was, "To see whether the inhabitants of said parish will make the Rev<sup>d</sup> Mr. Jackson's salary so good as it was when he first settled here in the Ministry, according to Contract," etc. At this meeting, after refusing to grant £50 for the purpose stated in the above article of warrant, the inhabitants finally voted "to give the Rev. Mr Edward Jackson forty & five pounds in good passable Bills of Credit the present year, besides his Annual Salary of one hundred and twenty pounds, provided he will discharge the parish for the present year."<sup>22</sup> This was a larger addition than they had ever raised before, for one year; and, if not a full equivalent for the depreciation which it was designed to compensate, could not have been far from it.<sup>19</sup> But it did not satisfy Mr. Jackson; and, when waited upon by a committee appointed at a parish meeting, March 24th, following, to acquaint him, officially, with what the parish had voted him, December 7th, before, and to inquire whether it would be acceptable, he sent the people word by them, immediately, that he did not accept it; and that he desired no more of them "than for them to make good their contract or agreement with him when he first settled amongst them in the work of the Ministry."<sup>23</sup> This tart, abrupt reply seems to have much irritated the inhabitants, who at once made choice of a committee to examine the contract made with Mr. Jackson at his settlement; to ascertain what the public Bills of Credit had depreciated since that time, and to make return to the inhabitants of the parish at their adjournment of this meeting. The committee selected for this purpose were Roland Cotton, Esq., Capt. Isaac Dupee, and

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<sup>22</sup> First Parish Records, Vol. I., p. 124. Felt on Massachusetts Currency, p. 135.

Capt. Stephen Richardson, of which gentlemen it is proper to observe, that the first two were comparatively strangers, but recently settled in Woburn; and that the former of these two, Roland Cotton, Esq., chairman of the committee, was decidedly inimical to Mr. Jackson a few years afterward, and probably was so at the time of this appointment. The committee thus composed, instead of inquiring, as they were directed, how much the currency had fallen in value since the settlement of Mr. Jackson, seem to have set themselves at work to discover in his contract, if possible, some plea by which the parish might be released from all obligations to make him any allowance whatever on the score of depreciation. And the result of their labors they communicated to the parish at its adjourned meeting, April 7, 1740, in the following report:

“The Committee, to whom was referred the examination of the Contract or Agreement made by the Town of Woobourn with the Rev<sup>d</sup>. Mr. Edward Jackson in September 1728 [1729?] relating to his support, having considered the same, Report as their opinion, that it was not the design and intention of that vote, to fix the Salary to a silver standard, but only to distinguish the Currency as it then was, from the Lawfull or Proclamation Currency at 6s. 10d. per ounce: Consequently, they intended to give but one hundred and twenty pounds Paper Currency, and are not obliged by said Contract to advance any more per annum.

“Yet the Parish being sensible of the depreciation of those Bills of Credit, have from time to time made an additional grant to the Rev. Mr. Jackson by Contributions and other ways; which has been truly laudable: And we trust the Parish will still from time to time (as usual) encourage the heart and hands of the Rev<sup>d</sup>. Mr. Jackson, notwithstanding the great and pressing difficulties the Parish labours under (as well as the whole Province) for want of a medium.

“All which is humbly submitted.

“ROLAND COTTON

ISAAC DUPEE

STEPHEN RICHARDSON

} Committee. <sup>23</sup>

“Woobourn April the 4th. 1740.”

The construction here put on the contract in question was palpably contradictory to the sense in which it had been understood in Woburn from the beginning, and which the parish had repeatedly put on it in their action within the last five years. But so vexed do the inhabitants appear to have been with Mr. Jackson at this meeting, for refusing to accept what they had voted him, December 7th, and for insisting upon a strict fulfilment of their contract, that they voted to accept the report of their committee, inconsistent as it was with their own declarations and doings upon record. Still, in accordance with the recommendation at the close of the report, they appointed a committee to wait on Mr. Jackson, "to know of him what (would) satisfy him for the present year beside his annual salary"; and then adjourned to May 19th, to hear his answer.<sup>23</sup> At that adjourned meeting, what reply the committee brought from Mr. Jackson is not found upon record. After repeated motions, however, to add fifty-five pounds, and fifty pounds, to his stated compensation, it was at length voted to add £45, "in good passable Bills of Credit," for that present year, (ending August 1, 1740) on condition that he would discharge the parish to that time.<sup>23</sup> The meeting was then dissolved; and the parish Assessors proceeded, July 10th, to assess the addition of £45, voted as above, together with Mr. Jackson's stated salary of £120, without any notice from that gentleman of his satisfaction therewith. But Mr. Jackson well understood his rights; and not being willing to accept any sum whatever as a donation, (according to the late accepted report) which he could claim as his just and legal due, and especially one which he considered as coming short even of that, he entered a complaint with the Court of Sessions at Concord in August, and by their order, duly served the Parish Committee with a copy.<sup>24</sup>

When notified of this step of their pastor, the people perceived they were in an evil case. They well knew that the addition to Mr. Jackson's stated salary, which they had voted to give him, May 19th, though now assessed, had never been

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<sup>24</sup> First Parish Records, Vol. I., p. 152.

acknowledged by him as satisfactory. And they were probably convinced too, now that their excited feelings had given way to calm reflection, that the interpretation which had lately been put upon their contract with him by their committee, and approved by their own vote upon Record, would not bear examination in a Court of Justice. They now, therefore, began to wish for an accommodation of their difference with their junior pastor, before any further proceedings were had upon his complaint. And, happily, at a meeting called to consider what should be done in their present situation, and held November 25, 1740, a mutual agreement between minister and people was harmoniously accomplished. The parish voted to add £15 to Mr. Jackson's stated salary of £120, for the year ending August 1, preceding, besides the £45 granted him May 19th, making his salary, in all for that year, £180 in Province Bills. And this sum, Mr. Jackson, who was present, signified his acceptance of, and promised, in consideration of it, to give a discharge to the parish for that year, and to withdraw immediately his complaint from Court. At the same meeting likewise, the parish voted the same addition to his stated compensation for the year which had commenced as for that which had recently ended.<sup>25</sup> And though an effort was made by some disaffected persons, at a meeting December 8th, to obtain a reconsideration of the above votes, under pretence that the meeting at which they were passed was illegal, yet it did not succeed.<sup>25</sup> And here was a termination of all differences between the First Parish of Woburn and Rev. Mr. Jackson respecting his salary, till the separation of the Third Parish in 1746. Henceforth till then, the Parish annually made additions of £60, £65, £80 and £100, Old Tenor, to Mr. Jackson's salary, originally stated at £120, in order, according to contract, to make it "as good as it was when he was first settled in Woburn."<sup>26</sup> And these additions were severally accepted by Mr. Jackson; and thus a lamentable and unedifying contention was amicably settled in a manner that was honorable to the parish, and conducive to the peace and usefulness of their junior pastor.

<sup>25</sup> First P. R., Vol. I., pp. 154, 156, 157.    <sup>26</sup> First P. R., Vol. I., pp. 186, 188, 205, 206, 221, 234.



While Woburn, First Parish, was involved in these costly, unhappy contentions with its ministers about their salaries, and burdened with an additional weight of taxes, in consequence of the incorporation of Wilmington and the Second Precinct, the town found some relief in the sale of its two thousand acres at Turkey Hills, now Lunenburg, in the County of Worcester. Concerning this tract of territory, it has already been related, that though granted to Woburn by the General Court, in 1664, it was not located till 1717. But little was done respecting it for seven years after. At a general town meeting, May 15, 1724, the proprietors voted, "that it should lie as it does, until the town or proprietors of the same should see cause to alter it, or pass some other vote upon it."<sup>27</sup> Accordingly, for about ten years longer from this date, it lay in a state of nature, unimproved; and though the town was repeatedly called upon to pay taxes for it to Lunenburg,<sup>27</sup> yet it derived but little or no benefit from it, except occasionally from the rent of its meadows. Measures were taken, however, from time to time, to run its lines, and renew its bounds, and to prevent the spoliation of its timber; and a committee was appointed to take care of the land, and to prosecute any persons who might trespass upon it. But at a general meeting of the inhabitants, May 22, 1733, it was voted, "that the 2000 acres of land lying in Lunenburg should be put upon sale, and the interest of the money be improved for the use of the Town." Accordingly, a committee of five, viz., Mr. Josiah Johnson, Capt. John Fowle, Mr. Samuel Richardson, Lieut. Edward Johnson, and Lieut. Samuel Kendall, was then chosen to sell this land to the highest bidder, giving inhabitants of Woburn the first offer of it.<sup>28</sup> And, at a subsequent meeting, January 21, 1733-4, the town directed the committee to sell it altogether, in one body, and empowered them, or any three of them, to give a warrantee deed of it, in their capacity of town's committee; and voted, that the town (would) defend them in their so doing, they returning the interest of the purchase money to the use of the town, or sufficient security to the town's acceptance.<sup>28</sup>

In pursuance of these votes, three of the committee, viz: Mr.

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<sup>27</sup> Town Records, Vol. VI., p. 196; VII., pp. 45, 140.

<sup>28</sup> Town Records, Vol. VII., pp. 151, 164, 165.

Josiah Johnson, Capt. John Fowle and Lieut. Edward Johnson, made on the day last mentioned, a conditional sale of the land to Ensign Israel Reed of Woburn, for £3,300, in Bills of Credit on the Province, eight respectable fellow-citizens offering to be his bondsmen.<sup>28</sup> The price for the land, and the security tendered by Mr. Reed for the payment of the money, were both accepted by the town at a meeting, February 19th, of the same year;<sup>28</sup> and the bargain was completed by the committee's giving a deed to Mr. Reed on the town's behalf. The purchase money for the land, viz: £3,300, in depreciated Bills of Credit, was worth in 1734, (the year of sale) about £1,100, lawful money, or \$3,666.67, in the currency of the present day.<sup>29</sup> As portions of this sum were paid in, from time to time, by Ensign Reed, it was loaned by the committee to divers inhabitants of Woburn, chiefly, in sums of £100, to any two individuals, secured by their mutual or joint bond.<sup>30</sup> And as fast as the interest accruing from these loans, or from the portion of the purchase money still remaining in the hands of Mr. Reed, was received by the committee, or by Capt. Fowle, who was one of them, and also Town Treasurer, it was appropriated to the payment of taxes and town charges, by order of the town.<sup>31</sup> By this wise arrangement, a large proportion of the taxes in Woburn, for County and Province, and also of its town expenses of every description, were defrayed several years out of the proceeds from the sale of its 2,000 acres. For instance, it was voted at March meeting, 1735, to raise two rates for the payment of town debts and necessary charges; but, at a meeting in November following, that vote was reconsidered: the rates were never assessed, and the charges they were designed to meet, for schools, support of paupers, county tax, and a multitude of other expenses, were paid out of the town's interest money.<sup>32</sup> And from the same resource, was paid by order of the town, its Province tax for 1736, amounting to £244 15s. 0d. after it had been actually proportioned upon the inhabitants; as were likewise various other town expenses for the same year.<sup>33</sup>

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<sup>29</sup> Felt on Massachusetts Currency, pp. 83, 135.

<sup>30</sup> Town Records, Vol. VII., pp. 218, 222.

<sup>32</sup> Town Records, Vol. VII., pp. 242, 246.

<sup>31</sup> Town Records, Vol. VII., p. 219.

<sup>33</sup> Town Records, Vol. VII., p. 250.

But where public money is intrusted to the care of individuals, it may always be expected that there will be many who will be watching them with a jealous eye; and some, who in their eagerness to be handling it themselves, will each think they know of one, at least, in whose care it would be safer and better managed than where it is. Though the committee who sold the two thousand acres, and had the charge of receiving and letting out the pay, took bonds of those to whom they loaned it, yet they were not under bonds themselves. For the purchase money being secured by Mr. Reed's sureties, and the money loaned being secured by joint bonds from the several borrowers, the town had not deemed it necessary to demand security of their committee likewise, so long as they regularly paid over, as they received it, the interest of the money they had loaned to the town's use. But this circumstance of their not being under bonds themselves for so large an amount (though expected to be put by loan into other men's hands, not to remain in their own) awakened the apprehensions of many who were, doubtless, unfeignedly anxious for the safety of the town's property, and afforded them, and some others at the same time, who were only watching for an opportunity to promote their own personal interest or influence, a handle for complaint.

In 1735, the very first year after the land was sold, an attempt was made, at May meeting, to choose a new committee to look after the £3,300 which the land at Lunenburg had been sold for, with the interest thereof. But such were the reputation and influence of the existing committee, so prudently had they loaned the portion of the purchase money which had been paid in to them, and so punctual were they to bring the interest which they were now just beginning to receive, to the treasurer for the town's use, that this motion to discharge them was negatived.<sup>34</sup> But the leaders in this effort, nothing baffled by defeat this year, renewed their attempt the next. In the warrant for May meeting, 1736, one article was, "To see whether the Town will choose a Committee to call in the money due to the town from Ensigh Israel Reed: or to choose a Committee to take security

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<sup>34</sup> Town Records, Vol. VII., pp. 198, 200.

from the Committee in whose hands the Town's Bonds are reposed? " But at that meeting, the majority were still so well satisfied with Mr. Reed's sureties, and so confident of the integrity of the present committee in their management of the town's property, that they passed over this article of the warrant without taking any action upon it.<sup>35</sup> But a continual dropping will wear away stones, and oft repeated insinuations against any individuals in a community, or persevering attempts to infuse jealousies and suspicions of them into the public mind, will hardly fail of making a disparaging impression at last, whether deserved or not. At a meeting, February 2, 1737-8, the town chose a committee of three, viz, Mr. John Russell, Jonathan Poole, Esq., and Mr. Jacob Wyman, "to see what circumstances the money that the 2,000 acres of land at Lunenburg was sold for, is under, and what security there is for the same," etc.<sup>36</sup> And in the warrant for the March meeting ensuing, one article was, "To hear the Report of this committee; and if the town shall think the security of the said money not to be good, to take better security of the standing Committee, if they will give it, or choose a committee that will give security to the town's acceptance by making a Return of the sale of said land to the Town in order to be recorded, and discharge the old Committee."<sup>37</sup>

In this article (a few words being transposed which are evidently misplaced upon the records, as they are here copied) it is plainly implied, that a return from the old or Standing Committee of their sale of the land, to be put upon record, would be deemed sufficient security for their faithfulness in the discharge of their trust. Accordingly, at the meeting, March 6th, such a return was actually made, accepted by the Town, and put upon record, subscribed by each member of the Standing Committee, with his own hand.<sup>38</sup> And yet, at the same meeting, (at the instigation doubtless of some whom nothing done by the old committee could reconcile or please) the town voted, "that the security given by the Committee (of trust) to the Town is not

<sup>35</sup> Town Records, Vol. VII., pp. 226, 227.

<sup>37</sup> Town Records, Vol. VII., p. 276.

<sup>36</sup> Town Records, Vol. VII., p. 267.

<sup>38</sup> Town Records, Vol. VII., p. 151.



sufficient.”<sup>39</sup> And, at a subsequent meeting, May 19th, following, they chose a committee of nine, to whom, or to a majority of them, provided they gave security to the Town Treasurer to the Town’s acceptance, they gave full power “to call in and take the charge of all the Town’s money which the Two Thousand Acres of land lying at Lunenburg was sold for by the Town to Ensign Israel Reed”; and also, “full power to discharge the former Committee (viz: Mr. Josiah Johnson, Capt. John Fowle, and Lieut. Edward Johnson) upon their surrendering up said money.”<sup>40</sup> The committee chosen for these purposes, were Jonathan Poole, Esq., Nathan Richardson, William Tay, Benjamin Johnson, Nathan Wyman, Ensign James Procter, Capt. John Fowle, Lieut. Edward Johnson, and Thomas Belknap, Jr.;<sup>40</sup> of whom, two, it will be observed, viz: Capt. Fowle and Lieut. Johnson, were on the original committee that sold the land. And now the grand question was, what shall be the security which the new committee should give? On this point, there was evidently much hesitation, and great division of opinion. A meeting was appointed, November 20, 1738, to decide this matter; but all which could be effected, was barely to vote that they would have security from their new committee for their money, and then to adjourn for a fortnight.

At the adjournment, it was determined, that “those persons that have the Trust of letting out the Town’s £3,000 and £300 shall give personal Bonds with lawful Interest for the use of the Town, to a Committee that the Town shall appoint and their successors, and acknowledge their bonds, and said bonds to be recorded in the County Records.”<sup>41</sup> A further adjournment was then voted to December 25, when it was probably ascertained that several members of the committee of nine chosen, and especially the two that had belonged to the old committee, would not accept the trust upon the conditions that had recently been prescribed. For, on that day, a new committee of nine was chosen, consisting of Jonathan Poole, Esq., for chairman, Josiah Peirce, Lieut. James Simonds, William Tay, Edward

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<sup>39</sup> Town Records, Vol. VII., p. 275.

<sup>40</sup> Town Records, Vol. VII., pp. 282, 297.

<sup>41</sup> Town Records, Vol. VII., p. 286.

Walker, Nathan Richardson, Benjamin Johnson, David Wyman, and Quartermaster Timothy Brooks. There was likewise chosen another committee of three, viz, Mr. Timothy Snow, Lieut. Peirson Richardson, and Mr. Nathan Wyman, which was to take bonds and good security, on behalf of the town of Woburn, of the committee of nine for the care and management of the town's money. The following votes were then passed by the Town for the direction of these, its several committees, on this subject:

1. That the committee of nine that day chosen "to receive the money or bonds of the old committee, (to wit, Mr. Josiah Johnson, John Fowle, Lieut. Edward Johnson,)" shall have "full power to recover in the law the said bonds or money; and upon their receiving the said money and bonds of the old Committee aforementioned, then by a Receipt under their hands or the major part of them, fully to discharge the said Josiah Johnson, John Fowle, Mr Edward Johnson the aforementioned Committee and their heirs of the full sum of three thousand and three hundred pounds (and) the interest of the same, for which they the said Committee sold the land for, lying in the township of Lunenburg, for the town of Woburn.

2dly. "*Voted*, That the Receipt so given by the said Committee shall be laid upon record in the Book of Records for Woburn.

3ly. "*Voted*, That the above said Committee [of nine] shall upon their receiving the said money or bonds into their hands and under their care and charge, shall let it out unto the inhabitants of the town of Woburn, and that for no more than lawful interest.

4ly. "*Voted*, That the said Committee, upon their receiving the said money or bonds, shall give bond or bonds, to the value of three thousand and three hundred pounds with lawful interest to Mr Timothy Snow, Mr Peirson Richardson and Mr Nathan Wyman, trustees chosen by said town to receive the same, and keep them for and in behalf of the Town.

5ly. "*Voted*, That the bonds for the sum of three thousand and three hundred pound with the interest, given by the above said Committee to the above said Trustees, shall be for one year:" [that is, it is presumed, shall be recoverable in one year].

6ly. "*Voted*, That the said Trustees shall make return of said

bonds so received by them for and in behalf of said Town, for the sum above mentioned." <sup>42</sup>

Such was the arrangement made by the town for the security of its money, about to be put into the hands of its newly appointed Committee. And had this arrangement been firmly adhered to, and insisted on by the town, this committee would have been effectually guarded against temptation to deviate from a strictly upright course, and been prompted by motives of interest, as well as of duty and honor, to manage their trust with a single eye to the public benefit. But men are not always willing to be dealt with themselves by the same measure that they would have others dealt by, under like circumstances. No sooner had the old committee been dismissed, upon the plea of insufficient security, and the new one chosen and had accepted, than the latter began to flinch at complying with the conditions of their office, to shrink and hold back from giving themselves such security as that, for the want of which they had raised such a breeze against their predecessors. Accordingly, they and their friends speedily combined to procure a relaxation of the strict terms of their appointment. At the same time, another party arose, which being disgusted with the hollow pretences and fruitless contentions on this subject, with which the town had been so long disturbed, was for procuring the dismissal of all the committees in this affair, calling in the money, and distributing it among the several inhabitants of the town, or between the two parishes, according to their respective taxes.<sup>43</sup> But the former party prevailed.

At a meeting, February 21, 1738-9, after confirming its choice of the committee of nine, as a committee of trust to succeed the old committee, and renewing its grant to them of all necessary powers to this end, the town materially changed the security demanded of them at their election two months before. It allowed them to loan its money in the capacity of a town's committee only, without giving personal bonds; and required of them, beside being sworn to the faithful discharge of their trust,

<sup>42</sup> Town Records, Vol. VII., pp. 287, 288.

<sup>43</sup> Town Records, Vol. VII., pp. 300, 338.

to give such security for the £3,300 as should be satisfactory to the town.<sup>44</sup> And the better to determine what that security ought to be, a committee was appointed, viz: Mr. Josiah Johnson, Capt. Isaac Dupee, Capt. John Fowle, Jr., Dr. Jonathan Haywood, Ensign James Procter, Mr. Nathan Blogget and Mr. John Russell, to prepare a draft in writing, which, being accepted by the town, should be entered in the Town Book.<sup>44</sup> This committee was expected to report at March meeting, then close at hand. But this expectation was doomed to disappointment. The committee, it seems, could not agree upon any report which the town might be thought willing to accept. And, when the time arrived for submitting their draft to its consideration, provision was suddenly made for substituting something very different in its stead. At that meeting, March 5, 1738-9, Mr. Roland Cotton, Capt. Isaac Dupee, Dr. Jonathan Haywood, Mr. James Procter and Mr. John Russell, were appointed to draft a resolution, by which all persons who should hire the town's Loan Money might be excluded from voting and acting in town meeting, in all questions respecting it. These gentlemen (all of whom, except the chairman, had been on the drafting committee, chosen at the preceding meeting) drew up on the spot the following resolution, which was immediately accepted by the town: "*Voted*, that in all votes touching or in any ways concerning the letting out or calling in of the said monies or security for said monies belonging to said Town, or the appointing committee men to manage the same, or in the removing or displacing of committees or any of them relating to said money or security, no person or persons that holds any part or parcell thereof, or hath taken any part or parcell thereof upon loan, shall have any vote or voice therein; [but] during the time of their being principal for the same or any part thereof shall be from voting debarred and excluded."<sup>45</sup>

This resolve sounds, in reading it, a very stringent one; and, could it have been executed, might have been effectual to answer the end intended. But the difficulty was, to execute it. There is not the least evidence that it was ever even attempted to be

<sup>44</sup> Town Records, Vol. VII., pp. 303, 304.

<sup>45</sup> Town Records, Vol. VII., p. 303.



enforced. And when it is considered (as a credible tradition to be referred to hereafter, gives too much reason for supposing) that a large proportion, if not a majority of the voters in town affairs, eventually became debtors to the town for larger or smaller sums of its loan money, it is easy to see how this resolution, so forcible in words, should become a mere dead letter on the Records, utterly impracticable in Woburn at that day. And thus the several provisions made by the town for its security, in respect to the money for its two thousand acres, while in the hands of its new or second committee, were virtually rendered, one after another, null and void. The several members of that committee were pledged, as was understood at their appointment, to give personal bonds for their fidelity in the management of the town's money intrusted to them: but they, or their friends for them, had contrived to evade this obligation, by procuring the substitution of easier terms in its stead. They were ordered to be sworn to the faithful discharge of their trust; but there is no notice on the Records that an oath, to this purpose, was ever administered to them. They were required to give such security as a committee, chosen expressly for this end, should agree upon, and as the town, when it was submitted to them, should accept. But, for reasons that can only be conjectured, that committee never reported. A second committee was then appointed for drafting such security, which did report. But the resolution which they recommended, and the town accepted, was such, that while it bound in words both the committee which let the town's money, and the inhabitants who borrowed it, appears to have been found impracticable to be executed; unequal to hold or restrain either the lenders or the borrowers of the money to be secured. And thus, notwithstanding all the noise and bluster with which, for four years, the town had been agitated about getting better security for the money arising from the sale of the town's land at Lunenburg than the committee who sold it had given, the town was not a whit better off than before. The new committee of nine gave no better security, in effect for their fidelity, than the old committee of three had done, which had been displaced to make

way for it. The only difference was, that the responsibility which had once been borne by three, was now divided between nine; and whereas the former committee had given all the security that was originally asked of them by the town, the latter committee had contrived, themselves, or by their friends, to get rid of, or to nullify that which had been successively demanded of them, and which, by not declining at their appointment or confirmation in office, they had virtually agreed, in good faith, to give.

And now the new committee of trust, (or at least, as many of them as saw fit to accept,<sup>40</sup>) being firmly established in their office, and furnished by the town with all requisite powers for the discharge of it, went to work. To this time, the proceeds of the sale of the 2,000 acres, consisting principally of bonds for a portion of the purchase money still due from Ensign Reed, and of bonds for loans to inhabitants of Woburn of moneys received from him, had remained in the hands of the original committee. At a general meeting, February 21, 1738-9, the town by vote ordered that committee to deliver up those bonds and whatever money they had of the town's, into the hands of the new committee.<sup>46</sup> But for some reason, now unknown, they demurred about doing it, and in consequence of their delay, the new committee instituted a suit at law against them, before the Court of Common Pleas for Middlesex, at its session in Concord, the following August. At the trial, the plaintiffs, in the name of the inhabitants of Woburn, alleged that the defendants had often refused and, still continued to refuse, giving them a reasonable account of the money they had received for the land which they had been commissioned to sell for the town's use; and laid the damage at £4,000. On the other hand, the defendants, by their attorney, William Brattle, Esq., averred, that they always had been, and now were ready to account with their employers in this matter. Upon this

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<sup>40</sup> Town Records, Vol. VII., p. 282. All of the committee of nine first chosen not accepting, another committee was appointed containing some new names; which see pp. 297, 303. And it subsequently appeared that two or three of those never acted with the rest.

<sup>46</sup> Town Records, Vol. VII., pp. 297, 303, 304.

declaration, the Court appointed Samuel Danforth, Esq., of Cambridge, Thomas Jenner, Joseph Lemmon, and Samuel Cary, Esqrs., of Charlestown, and Judah Morris, the celebrated Jewish convert to Christianity and teacher of Hebrew in Harvard College, or any three of them, as "Auditors of the Account, in this Action, and ordered that the Defendants account before the said Auditors accordingly: and the Action was continued to (the December) Term for their Report." At the session of the Court at Charlestown, in December, the Auditors reported, "that having heard the Parties and examined their papers, they find that there is due to the Inhabitants of the Town of Woburn from the said Committee, the Defendants, three thousand three hundred pounds for Principal, and two hundred thirty seven pounds seven shillings for Interest to this day, in the whole, three thousand five hundred thirty seven pounds seven shillings; which with eight hundred ninety five pounds thirteen shillings they have paid in to the Town Treasurer, and seven pounds now allowed them with fourteen pounds formerly paid them by the Town, is in full for their trouble in *viewing*, selling the Land, and letting out the Money; which several Sums before mentioned we judge to be in full of all dues and demands from the Defendants to the Inhabitants of the Town of Woburn."

This Report, subscribed by Thomas Jenner, Joseph Lemmon and Judah Morris, Auditors, the Court accepted, and ordered it to be recorded; and decided upon the Action as follows: "that the Inhabitants of Woburn aforesaid recover against the said Josiah Johnson, John Fowle and Edward Johnson the sum of three thousand five hundred thirty seven pounds seven shillings money Damage, and Costs of Suit with the charge of Auditing, the whole whereof taxed at twenty eight pounds seven shillings & six pence."<sup>47</sup> From this judgment, the defendants appealed to the next Superior Court for the County. But their appeal was to no purpose. Within a few days after the decision of the Inferior Court, Mr. Josiah Johnson, chairman of the old committee, died.<sup>48</sup> And from his heirs and from the two surviving

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<sup>47</sup> Records of Inferior Court at Cambridge; December, 1737 — August, 1740, p. 557.

<sup>48</sup> Records of Births and Deaths in Woburn.

members of that committee, Capt. Fowle and Dea. Edward Johnson, of the Precinct, there was afterwards recovered in the law, for damage and costs, the increased sum of £3,623 11s. For this large amount, settlement appears to have been made by the old committee shortly after, by delivering up the bonds and all other property of the town in their hands to the new committee; who accordingly stand recorded as responsible to the town for it, in the Town Book, June 18, 1741.<sup>49</sup>

From the last mentioned date, June 18, 1741, when the new committee had obtained the entire control of the town's money for their 2,000 acres, they seem to have managed it for some time to general satisfaction. The sum taken into their hands, amounted, it was just observed, to £3,623 11s. From this deducting £87 14s. allowed them by the town for lawyers' fees, and their own time and expenses in attending Court during their suit against the old committee, there remained £3,535 17s. to be disposed of by them for the benefit of the town. Of this sum, £3,300 constituted a permanent Loan Fund for the benefit of the town, from the proceeds of the sale of its land in Lunenburg, and now consisted principally of bonds given jointly and severally by individuals for money they had unitedly borrowed from it upon interest, in sums not exceeding £100 each.

The residue, £235 17s. seems to have been an accumulation of interest, which had been received by the old committee; and which, being now paid into the treasury of the town, and added to so much of the interest annually due upon the bonds, as the new committee collected and paid, proved sufficient, several years, for defraying all the usual town and county expenses, and saved the necessity of assessing any tax in Woburn for ordinary purposes, except the Province tax, till February 1746-7.

But now the new committee became gradually very dilatory and backward in collecting and paying in the interest due on the town's loan money intrusted to their care. As the Treasurer's book shows, they were accustomed to pay portions of this

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<sup>49</sup> Town Records, Vol. VII., pp. 371, 372.



interest every year, but, generally speaking, not till it had been due above a twelvemonth; and then in such partial payments, as all of them together did not satisfy the just claims of the town. The failure of the committee in this respect was doubtless owing, in a very considerable degree, to the depreciation of money then prevalent. Province Bills of Credit, in which the interest money from the loan fund was wont to be paid, were not worth so much in 1741, when the committee took that fund into their charge, as they were in 1734, when the land in Lunenburg was sold, and the fund was established from the proceeds of its sale; and this, their diminished value, was continually diminishing.<sup>50</sup> To remove the difficulty, which this constant depreciation must obviously occasion, both to the committee who had the charge of the loan money, and to those who were indebted to them for loans from it, the town, at a meeting, August 27, 1744, voted, that "the Town will not require the Sink of their Money in the hands of the present Committee, neither shall the same be required by the said Committee of those who have said Money in their hands, untill further order from the Town."<sup>51</sup> But this vote (which proved in the end a virtual relinquishment of the fund itself, for the sake of securing the prompt payment of the interest due upon sums loaned from it) did not answer the end intended. While it greatly facilitated the action of the committee in collecting and paying up the interest due to the town, it did not effect any material change for the better in their management on this head. With some honorable exceptions, they still made but partial payments of the interest coming to the town from its loan fund; and were generally a year or more behind hand in doing this. This remissness caused much vexation and uneasiness, and great loss to the people of Woburn. It obliged the town to have recourse once more to taxation (from which, through aid from its loan fund, it had been for several years in good measure free,) for defraying its common necessary charges. It became at length a matter of

<sup>50</sup> Bills in 1734 were in the proportion of twenty-four shillings to one ounce of silver; from 1741 to 1744, as twenty-eight shillings to one ounce; and in 1745, as thirty-five shillings to an ounce of silver in value.—See *Felt on Massachusetts Currency*, p. 135.

<sup>51</sup> Town Records, Vol. VII., p. 451.

public, serious complaint in town meeting; and for a series of years, this community was much occupied in devising, and in some instances adopting, a variety of measures for correcting the negligence of the committee in this matter, and for remedying the inconveniences and troubles which it occasioned. But such were the intrinsic defects in these measures themselves, or the difficulty of carrying them in town meeting, in the face of the opposition which they excited, or the lack of energy or decision in those who were appointed to carry them into effect, or the strong influence exerted to thwart or defeat their execution, that little or nothing was accomplished by them. For instance, (to notice some of these measures in a brief, summary way,) at a town meeting, March 6, 1748-9, the town treasurer was ordered to sue each committee-man at the law, who failed to pay in the interest coming from him, within a year from the time it became due; but this was a delicate business, which the treasurer seems to have been averse to meddling with; and so nothing was done.<sup>52</sup>

It was proposed in the warrant for a meeting, May 22, 1753, to choose a committee to inquire, why the interest of their loan money was not paid in, agreeably to vote of the town? But when the town came together, the article was dismissed, and no inquiry was made.<sup>53</sup>

Again, the town ordered the committee, May 13, 1754, to reduce every bond in their hands to lawful money which had not been reduced before, and then to sue it, unless the interest due on it were paid before the next Inferior Court; but this severe expedient proved, eventually, to be a mere empty threat; or if actually tried, it was without success.<sup>54</sup>

Again, at a meeting, May 12, 1757, the town empowered and directed its treasurer to demand forthwith, of the committee for its Loan Fund, the interest then due from it to the town; and in case of neglect to pay, to sue immediately for the principal, held by each delinquent. But there is no evidence that this order was ever complied with by the Treasurer.<sup>55</sup>

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<sup>52</sup> Town Records, Vol. VIII., p. 16.

<sup>54</sup> Town Records, Vol. VIII., p. 131.

<sup>53</sup> Town Records, Vol. VIII., pp. 104, 106.

<sup>55</sup> Town Records, Vol. VIII., p. 205.

Furthermore, it was once and again proposed to discharge the present committee upon their delivering up the town's property in their care, and then to elect a new committee, or appoint the Town Treasurer for the same trust. But in each instance, the article of the warrant suggesting such change, was either dismissed, or adjourned from one meeting to another, till the design was dropped, and the old committee were still allowed to retain their office.<sup>56</sup>

And finally, a committee of three, viz., Josiah Johnson, Esq., James Fowle, Esq., and Mr. Isaac Snow, was appointed, March 1764, to settle all accounts with the committee for the town's loan money; and in the warrant for May meeting, the same year, one article was, to see whether the town would accept that committee's report? But in the Record of this meeting, a profound silence is observed on this subject; and it does not appear whether the committee ever presented the expected report, or whether it was ever acted upon or not.<sup>57</sup>

In the mean while, changes, from various causes, were taking place in the committee. Three of the nine originally appointed, viz., Messrs. Edward Walker, Josiah Pierce, and Lieut. James Simonds, do not appear to have ever accepted the trust; or if they ever acted with the rest, they did so but for a little while. Capt. Benjamin Johnson was displaced by the town in 1756, and Mr. Nathaniel Brooks put in his room. Death also was beginning to do his work, and to compel some of them to pay the debt of nature, if they could not, or would not, their dues to the town. Jonathan Poole, Esq., chairman of the committee, died about 1755; and Mr. David Wyman about 1762; and Mr. Oliver Richardson and Capt. Benjamin Wyman were chosen respectively to supply their places. And these changes, and the prospect of others like them, seem to have combined with other circumstances to rouse the town at last to efficient action.

At a general meeting, May 18, 1767, it was voted, "that the Town's Loan Money that is in the hands of individuals, and the hands of the Committee, should be transferred into the hands of

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<sup>56</sup> Town Rec., Vol. VIII., pp. 331, 333, 337, 338.    <sup>57</sup> Town Rec., Vol. VIII., pp. 394, 400, 401.

the town treasurer for the use and benefit of said town." A committee also was chosen at the same time, consisting of Capt. Benjamin Johnson, Josiah Johnson, Esq., and Lieut. Samuel Thompson, to assist the treasurer in receiving the town's money of the loan committee, "and taking good security for the same." "Voted also that the Treasurer, and the Committee chosen to assist said Treasurer, be and are hereby authorized and empowered to reckon and settle with the said Committee that has said town's Loan Money in their hands, and said Treasurer to give them a Discharge for their trust in that affair."<sup>58</sup> And at May meeting, the following year, the same gentlemen were chosen and empowered by the town as a committee "to reckon and settle with Deacon Nathan Richardson, Lieut. William Tay, Capt. Timothy Brooks, Mr Oliver Richardson, Mr Nathaniel Brooks, and Capt. Benjamin Wyman for their service and trouble as Committee men for the Town's Loan Money, and make each of them such allowance for their service as they can agree with them for, not to exceed one penny upon the Pound per year, and take a receipt of each and every of them; that so the town may have a full discharge from each and every of them from any further demand that either of them can have upon the town for said service, and Report at the next town meeting."<sup>59</sup>

Here seems to be the winding up of the office of committee for the Town's loan money. Henceforth, its trust and duties devolved upon the Town Treasurer, Eleazar Flag Poole, Esq. At March meeting, 1770, the town directed this gentleman "to sue all those bonds for (its) Loan Money that is (are) not changed into Lawfull money, at the next Inferior Court in the County of Middlesex; he first advising with the Selectmen before he puts said Bonds in Suit."<sup>60</sup> In pursuance of these orders, Mr. Poole commenced, that year and the next, five law-suits in the Inferior Court; in all which, he recovered his demand on the town's behalf, with costs.<sup>61</sup> In two of these suits, however, Joshua Richardson, the defendant, ventured to

<sup>58</sup> Town Records, Vol. IX., p. 38.

<sup>59</sup> Town Records, Vol. IX., p. 64.

<sup>60</sup> Town Records, Vol. IX., p. 106.



appeal to the Superior Court, and gave bonds to prosecute his appeal.<sup>61</sup> But at a session of that Court in Charlestown, April 14, 1772, he failed to appear: upon which the Court, at the prayer of Mr. Poole, confirmed the judgment of the Lower Court, with additional damages and costs.<sup>62</sup> At March meeting, 1772, that gentleman stated, in his account for the preceding year, then rendered, (attested by the Auditing Committee, and afterwards accepted by the Town,) that he had received as principal of the loan money, £76 0s. 3d., and as *interest* for the same, £5 15s. 7½d., total received, £81 15s. 10¾d.; and that there was still due to the town, as principal, £30 13s. 04d., and as interest to March 12, 1772, £8 16s. 5d.; and also, that by a receipt he had, it appeared that there was still in the hands of Nathaniel Brooks, of the town's loan money, £2 2s. 4d., as principal, and £1 18s. as interest, in all, £43 10s. 1d., due to the town on this account.<sup>63</sup> At May meeting, 1772, an attempt was made to prevail with the Town to remit to certain individuals a portion of what they owed, on account of the loan money, or grant them a longer time to pay their dues in; but, to both these proposals, the Town voted a positive refusal.<sup>64</sup> And at a general meeting, June 15, of the same year, the Treasurer was ordered, by vote of the town, "to put in prosecution the conditional note he (had) in his hands, relative to a part of the (town's) Loan money, given to him by Mr James Wyman"; and also, "to prosecute the Receipt he (had) in his hands, that was given by Mr. Nathaniel Brooks and Mr. David Wyman to Mrs. Esther Poole deceased, relative to said town's Loan money."<sup>65</sup> But on account of some acknowledged illegality in this meeting, the above orders were rendered void, and never afterward renewed. Weary of contending for years about their loan money, and discouraged by the failure of their numerous past efforts to get the management of it again into their own hands, till they saw there was comparatively but little to contend for, they ceased from this time to make it a subject of discussion and action in town meeting; and the

<sup>61</sup> Records of Court; communicated by Lorenzo Marrett, Esq., of East Cambridge.

<sup>62</sup> Records of Superior Court, 1772, leaf 50, 2d page. <sup>63</sup> Treasurer's Book, p. 266.

<sup>64</sup> Town Records, Vol. IX., p. 164.

<sup>65</sup> Town Records, Vol. IX., p. 168.

events which immediately led to the Revolutionary War soon diverted their attention another way; and their remaining claims for the loan money were speedily forgotten or overlooked.

It is melancholy to witness so large and productive a fund as the Woburn Loan money once constituted, and one that promised originally to be of so great and lasting utility, frittered away in the course of a few years into nothing; and curiosity may incline many to inquire the cause. When that fund was created, at the sale, in 1734, of Woburn's 2,000 acres in Lunenburg, it was worth £3,300, in Massachusetts Bills of Credit. As these Bills then passed at the rate of twenty-four shillings for an ounce of silver at eight shillings, or sixty shillings for two and one-half ounces of silver, equal to twenty shillings, or one pound; the whole value of the fund at its commencement was £1,100, lawful money.<sup>66</sup> In 1741, when the new committee recovered in the law the Loan stock from the old committee, and took the entire charge of it into their hands, the Bills of Credit being then valued at twenty-eight shillings for an ounce of silver,<sup>66</sup> the worth of the fund was diminished to £942 6s. But so rapidly did they decline in worth between 1745, 1749 and 1750, that in the two years last named, they had sunk into what was called Old Tenor currency, in which an ounce of silver was reckoned an equivalent for sixty shillings in Province Bills.<sup>66</sup> The committee, aware of the tendency of the money in their care to depreciate, became alarmed, it seems, in 1744. But the town relieved them of their apprehensions, by voting, at a meeting in August 1744, not to exact of their committee "the sink of their money" in the payment of interest accruing upon it, and directed them at the same time not to exact it of those to whom they had loaned it.<sup>67</sup> And now the disastrous effect of the depreciation of the currency upon the Woburn Loan Fund began strikingly to show itself. From 1745, down to 1750, inclusively, when Old Tenor money became no longer a legal tender, and lawful money

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<sup>66</sup> Felt's Massachusetts Currency, p. 135.

<sup>67</sup> Town Records, Vol. VII., p. 451.

was substituted in its stead, all payments into the treasury, whether of principal from the Loan Fund, or of interest into it, were in Old Tenor; and thus it continued to be for several years after. For instance, when the town voted, in 1761, to take from its Loan Fund £200, Old Tenor, or its equivalent in lawful money, to pay to Medford, in fulfilment of its agreement, in order to be released in future from all obligation to help maintain Medford Bridge, the whole sum taken from the fund for this purpose was only £26 13s. 4d., lawful money.<sup>68</sup> And the full amount of interest paid into the Treasury, by Lieut. William Tay, one of the new Committee, for the portion of the Loan Fund in his care, which had for a series of years been £33 0s. 0d., Old Tenor, was reduced to £4 8s. lawful in 1749.

In each of these two instances was a depreciation of Province Bills, reckoned in Old Tenor, of £7 10s., for £1 lawful money. Computed by this standard, the whole Loan Fund of Woburn, viz, £3,300, as it was originally, and as it was when taken in charge by the new committee in 1741, was worth, in 1750, only £440 lawful money. Here then, we see the main cause of the constantly diminishing value, and final ruin of Woburn Loan Fund. This sad issue is not to be imputed to the incapacity of the second committee, who had the charge of the fund while its depreciation was principally going on; for there were among them, men highly esteemed for their business talents, as well as integrity and moral worth. It was not the result of their defrauding the town of any portion of its Loan Money, either interest or principal. For the Treasurer's Records exhibit numerous and constant payments by them of the interest of the fund committed to their management, so that a sum less than £10 of the interest accruing upon the fund, remained unpaid at the final settlement of the Treasurer, in 1772. And although their customary failure to pay the interest, till a year had elapsed after it became due, was a source of loss to the town, and of much disappointment and vexation, yet even this failure doubtless arose, in most cases, from the failure of those to whom they had loaned the

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<sup>68</sup> Town Records, Vol. VIII., p. 46<sup>a</sup>.

money to pay the interest as it had become due. And as to the principal of the fund, the Treasurer's Records credit the committee with numerous payments of it, between 1761 and 1767, amounting in all to £337 18s. 9d., which being added to £76 0s. 3d., that the Treasurer himself received, according to his final account, March 1772, after the fund was intrusted to his care, and the £32 15s. 8d., of the principal, which he then claimed to be due, amounted to £446 14s. 8d., a sum little exceeding that, when the whole fund, in passing from Province Bills to Old Tenor currency, and from that to lawful money, was then accounted to be worth.

The final loss then of Woburn Loan Fund must be regarded as one of the unhappy consequences of issuing, by the Government of Massachusetts, Bills or Notes as money, without a suitable care promptly to redeem them, and thus keep up their credit. This was a very common way of producing money at the commencement of the last century, which the Legislature was in a manner constrained by circumstances to resort to, and which the people themselves were very reluctant should be given up. But the more of these Bills were issued, the greater became the general distrust of them; they continually diminished in value; and the consequence of their depreciation (to say nothing of a great increase of crime and moral evil) was a multitude of losses and calamities both to individuals and to communities at large.



## CHAPTER X.

Establishment of Third Parish.—Installation in it of Rev. Josiah Cotton.—Erection of Third Meeting-house of First Parish, and disposal of the Second.—Action at Law of Rev. Edward Jackson against Rev. Mr. Cotton for a Libel.—Death and Character of Rev. Mr. Jackson.

IN the chapter preceding, some account was given of the unhappy difference between the two ministers of the First Society in Woburn, Rev. Messrs. Fox and Jackson, and of the consequent alienation of their respective friends from one another. This alienation gradually increased, so as to become the occasion, in 1746, of a secession from the First Parish, and of the legal establishment of a Third Society in the town, commonly distinguished at that day by the title of the "Separatists' Society." The measures for effecting this separation commenced with the friends of Rev. Mr. Fox, who handed in a petition to the Parish Committee, August 31, 1745, requesting them, for reasons therein declared, to call a parish meeting, and to insert in their Warrant for it the prayer of the petitioners, that they and those who might join them within a reasonable time might be allowed by the parish to be set off "a separate & distinct society"; and that they, their families and estates, might be henceforth excused from paying anything toward the maintenance of Rev. Mr. Jackson.<sup>1</sup> This petition, after some consideration, the Parish Committee refused to grant. Whereupon, a petition was presented, September 16, to Hon. Samuel Danforth, Esq., one of the justices for the County of Middlesex, subscribed by Roland Cotton, Jonathan Poole, John Fowle, Ebenezer Flegg, and Joshua Sawyer, setting forth the denial which the petition, subscribed by them and others, had met with from the Parish Committee, and praying him to grant his warrant for calling a parish meeting for the purposes mentioned in that petition.<sup>2</sup> In pursuance of this application, Justice Danforth issued

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<sup>1</sup> Parish Records, Vol. I., p. 235.

<sup>2</sup> Parish Records, Vol. I., p. 236.

his Warrant for a parish meeting, to be held September 30, "for the purpose of choosing any parish officers that might be judged necessary; and of considering the petition of sundry of the Freeholders of said Parish, as above expressed." At the meeting thus obtained, it was voted, first, not to choose any new officers; and, then, after adjourning one hour for further consideration, "It was put to vote, whether the Inhabitants would dismiss those Petitioners, according as is set forth in their Petition? and it passed in the negative, that they would not."<sup>3</sup>

In the mean while, the Parish Committee had stolen a march upon the petitioners, with a view either to check them in their attempts at separation, or to extort from them as much aid as possible for the benefit of the parish, before they could be legally set off. During the four years immediately preceding this, three unsuccessful attempts had been made to obtain a vote of the parish to build a new meeting-house, or to repair the old one. The proposal to build had been uniformly negatived; and forty shillings was all the parish would grant to repair.<sup>4</sup> But, suddenly, an entire change of mind on this subject took place. On the 18th of September, this year, (only two days after the date of Justice Danforth's warrant for calling a Parish meeting, to see if the parish would dismiss certain members thereof, that they might become a distinct society,) the parish committee issued a warrant for a parish meeting, to be held on the 26th of September, four days before the meeting called by Justice Danforth. And, at that meeting, after granting the salaries of the two ministers for the current year, the Parish voted to build a new meeting-house as soon as they conveniently could; granted £1,000, Old Tenor, for the purchase of materials, and chose a committee of five for carrying on the work.<sup>5</sup>

And now the petitioners, baffled and irritated by these impolitic, overbearing proceedings of the majority of the parish, and confirmed more strongly than ever in their purpose to get off from it, if possible, apply to the Legislature for redress in the following petition:—

<sup>3</sup> Parish Records, Vol. I., p. 237.

<sup>4</sup> Parish Records, Vol. I., pp. 167, 205, 218.

<sup>5</sup> Parish Records, Vol. I., p. 234.

“ Province of the Massachusetts Bay.

“ To His Excellency William Shirley, Esq<sup>r</sup> Captain General and Commander in chief in and over the Province of the Massachusetts Bay, the Honourable the Council and House of Representatives, in General Court assembled December y<sup>e</sup> 11th. 1745 :

“ Humbly shew the Subscribers, Inhabitants of the First Parish in Woburn ;

“ That they preferred a Petition to the Committee of the said Parish on the 31st. of August last, setting forth, that the Reverend Mr Edward Jackson had been settled in the Ministry in said Town about sixteen years, ever since which there has been an unhappy and unaccountable difference between their senior Pastor the Rev<sup>d</sup> Mr John Fox and the said Mr Jackson ; and notwithstanding the earnest endeavours of many well disposed Ministers and other Christian Brethren to reconcile these two ministers, and induce them to live together as Ministers and Brethren ought to do, yet that this alienation of affection evidently continues to this day, greatly to the prejudice of Religion in this Parish, and the best welfare of ourselves and Families whilst we remain in these very distressing circumstances : we therefore earnestly desired and requested them to call a Parish meeting according to law, and insert in their warrant that it was the Prayer of us the Subscribers and our Associates that should join to us in a reasonable time, to be allowed by the Parish to be set off a separate and distinct Society, that we our Families and Estates might be for the future excused from paying anything toward the maintenance of the said Mr Edward Jackson ; and we did in the said Petition engage to the said Parish, that for the promotion of peace and that we and our families might have the precious and invaluable liberty of worshiping God without confusion and disorder, or any uncharitable reflections upon each other, that we would take upon ourselves our proportionable part of the charge of supporting and maintaining the Reverend Mr John Fox, who is the Senior Pastor of that (this) Church and Parish, and who is in justice entitled to as much or more salary than the younger Pastor, although by the Providence of God he is taken off from the publick ministerial performances ; and consequently we must be at the charge of settling another ; yet we were heartily willing, though but very unable to be at the extraordinary charge ; as we were very sensible this method would tend to restore Peace to the Parish, and (by the Blessing of God) to

promote the future Happiness of ourselves and Families here and hereafter.

“That the said Parish Committee, as we are informed, met twice after the Petition was presented, but did not see cause to call a Parish Meeting agreeable to our reasonable Request, which obliged us to apply to one of His Majesty’s Justices of the Peace according to Law, who issued a warrant on the 16th of September last requiring the Freeholders & others qualified according to Law to meet together to consider our Petition the 30th — following : which when the Parish Committee perceived, they suddenly met together, as we were informed, and issued their warrant for a meeting to see whether the Parish would build a new Meeting House, and directed the Inhabitants to meet the week before the Parish meeting ordered by the Justice, and would not insert our Petition in their Warrant ; and when they met together, they (as we apprehend, to baffle, distress and discourage us from our honest & just design of being a distinct Society and living peaceably together, and to render us unable to build a decent meeting house for the publick worship of God) voted to raise a large sum of money towards building themselves a meeting-house, though your petitioners who were present, and sundry others, entered their Protest against such a vote being put, forasmuch as the warning for said meeting was exceeding short, and a great number of the voters being absent ; and further at the meeting appointed by the order of the Justice the week after, the Parish unreasonably refused to grant the Prayer of your Petitioners, as by the Records will appear.

“Now may it please your Excellency and Honours, as these Proceedings manifestly tend to distress your Petitioners, and prevent their enjoying Gospel privileges in Peace and Order, They humbly pray that they with their Associates who shall join with them in a reasonable time, as your Honours shall in your wisdom judge meet, may be excused from paying any taxes for the future either to the building a meeting-house for Mr Jackson, or to his maintenance ; and that they may be set off a separate and distinct Society, which is of the greatest consequence to your poor distressed Petitioners, who will as in duty bound ever Pray etc.,

etc. “JACOB WRIGHT JUN<sup>r</sup>

JONATHAN FOX

DAVID ALEXANDER

JOSHUA SAWYER

JONATHAN POOLE

JOHN FOWLE

JACOB WRIGHT

EBENEZER FLEGG

“GERSHOM FLAGG JUN<sup>r</sup>.”



"In the House of Representatives Dec<sup>r</sup>. 18th. 1745 Read and ordered that the Petitioners serve the Clerk of the first Parish in Woburn with a Copy of this Petition, that so they shew Cause if any they have, on the first Wednesday of the next Session of this Court, why the Prayer thereof should not be granted: and all Proceedings with respect to making Parish Taxes are suspended in the meantime.

" Sent up for Concurrence.

" T. CUSHING, Speaker.

" In Council Dec<sup>r</sup>. 18th. 1745.

" Read & Concur<sup>d</sup>.

" J. WILLARD, Secr<sup>y</sup>.

" Consented to :

W. SHIRLEY." <sup>6</sup>

A Copy of this Order of Court having been duly served, a parish meeting was called January 2, 1745-6; at which a committee of five was chosen, "to go to the Great and General Court to make answer to a Petition there preferred by sundry of the Inhabitants of said Parish, and shew reason why they should not be set off a separate Society as they have requested." This committee consisting of Lieut. Samuel Kendall, Dea. Josiah Peirce, and Messrs. Josiah Johnson, William Tay and Nathan Richardson, doubtless appeared before the Court, on behalf of the parish at the time appointed.<sup>7</sup> But what pleas they urged against the prayer of the petitioners cannot now be ascertained, the volume of the Court's Records for that year being unaccountably missing. Certain it is, however, that the efforts of the Parish Committee in this business were unsuccessful. At an adjourned Session of the Legislature, apparently in August or September 1746, they passed upon the prayer of the petitioners the following order, which is copied from papers, in the hands of descendants in this town, of Lieut. Kendall, Chairman of the committee. "Ordered that the Prayer of the Petition be so far granted, as that the Petitioners with their Families and Estates, together with such Persons and their Estates belonging to said Parish, that shall hereafter, within twelve months next

<sup>6</sup> Parish Records, Vol. I., pp. 233-240.

<sup>7</sup> Parish Records, Vol. I., p. 242.

coming, signify their desire of joining with them by writing under their hands delivered into the Secretary's Office, be and hereby are made and set off a distinct and separate Precinct, and impowered to hold and exercise the same Privileges as all other Precincts within this Province have, and by Law do enjoy; and also set free from any taxes toward the maintenance of Mr Edward Jackson, and building and repairing said [First] Precinct Meeting-house, since the 11th. of Dec<sup>r</sup>. last, when they exhibited this Petition: Provided they pay annually one half of what has been usually allowed by said Precinct towards the support of the Rev<sup>d</sup>. Mr Fox their aged Pastor."<sup>8</sup>

The Third Society in Woburn, being thus legally established, proceeded to exercise the privileges with which they had been vested. From a comparison of parish taxes, for Rev. Mr. Jackson's salary, for the years immediately before and after its incorporation, the Third Society appears to have consisted of about eighty heads of families and taxable persons, or very nearly two-fifths of the old Society before the separation.<sup>9</sup> Among them, besides Col. Roland Cotton, their leader, and the reputed father of the Society, were several other men of note; as Jonathan Poole, Esq., Major John and Cornet Jacob Fowle; Captains Stephen and Joseph Richardson; Messrs. John and Elijah Leathe; Messrs. Ebenezer, Gershom and Zechariah Flagg, Mr. Jacob Wright and Son, Mr. John Russell; Capt. Samuel and Mr. Jabez Carter, and Col. Jonathan, son of Rev. Mr. Fox. The aged minister himself (Rev. Mr. Fox) appears, from some circumstances, to have usually assembled with them, when able to come abroad. They never arrived to have a proper, regularly built meeting-house of their own, but met on the Sabbath in an unfinished building that formerly stood opposite the house of Dr. Silvanus Plympton, Senr., deceased,<sup>10</sup> and in which there was a large room or hall, fitted up as a place of public worship. A church was gathered in this Third Society, of which Mr. John Leathe was chosen deacon. And their first and

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<sup>8</sup> Extract from Petition of First Parish Committee to General Court, dated June 5, 1747, and subscribed by Samuel Kendall, William Tay, and Nathaniel Richardson.

<sup>9</sup> First Parish Records, Vol. I., pp. 252, 267.

<sup>10</sup> Mrs. Plympton.

only pastor was Rev. Mr. Josiah Cotton, a brother of Col. Roland, who had previously been a settled minister at Providence, Rhode Island. He was installed at Woburn, July 15, 1747; and the following brief notice of the solemnity appeared the next day in the Boston Weekly News Letter. "Woburn July 15. This Day the Rev. Mr. Josiah Cotton was installed Pastor over the 3d. Church in this Town. The whole Affair was carried on with the utmost Peace and Decency."

A vote was passed (it will be recollected) by the First Parish, September 26, 1745, to build a new meeting-house, and to raise £1,000, Old Tenor, for the purchase of materials. This vote was not then carried into execution, in consequence of the order issued by the General Court, December 18, following, in answer to the prayer of the petitioners for the Third Society: which order suspended for the present "all Proceedings with respect to making Parish Taxes." Still, however, that design was not forgotten; and as soon as the separation of the Third Society was fully accomplished, and the excitement which it had occasioned had subsided, it was revived, and again made a subject of public consideration. At an adjourned parish meeting, October 19, 1747. in regard to an article in the warrant, To see whether the Inhabitants of the Parish would build a new meeting-house, agreeably to their former vote, or repair the old one? it was voted, to build a new one, the front of which should be set "about the middle of the place where the old meeting-house now standeth." A committee of nine, also, was chosen, viz: Mr. Joshua Thornton, (a master carpenter, then recently moved into town,) Lieut. Samuel Kendall, Dea. Samuel Eames, Mr. David Wyman, Lieut. William Tay, Mr. Benjamin Richardson, Capt. Timothy Brooks, Mr. Isaac Snow and Mr. Nathaniel Brooks, "to take care of and carry on the building of said house"; and this committee was instructed to draft a plan, to be submitted to the parish at some future meeting.<sup>11</sup> And, at a parish meeting, the following month, November 20, 1747, It was voted to proceed immediately with the building of a new meeting-house:

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<sup>11</sup> Parish Records, Vol. I., pp. 264, 265.

the plan presented by the building committee was approved, except in regard to the porch, which was reserved for further consideration; the building committee was authorized to provide all the necessary materials, to be in readiness the following spring; and £1,000, Old Tenor, was raised to defray the expense.<sup>12</sup>

But now began to be manifested a difference of opinion in regard to the spot where the projected house of worship should stand. It was at first determined (as has been seen) to erect it on the site of the old house on the Meeting-house Hill. But, soon a large and increasing number appeared in favor of building it on the Common, west of that hill. And hence, though it was voted the following spring, April 5, 1748, "that they would not reconsider their former votes respecting the setting (of their New Meeting House," yet this vote was carried but by a bare majority; the minds of the people being very nearly equally divided on the subject. And, hence, at an adjournment of that meeting, three days after, it was mutually agreed by both parties to leave the question of the place for the meeting-house to be decided by lot. The lot was cast: and proving in favor of the Hill, the spot originally agreed upon, it was "concluded to a man," say the Records, by a subsequent vote, that the Hill should be the place, agreeably to their former votes. It was resolved, likewise, to take down the old meeting-house, as soon as they were ready to frame the new one; the building committee were directed to provide materials, and go on with the work as fast as possible; and another tax of £1,000, Old Tenor, was voted to defray the charge of building.<sup>13</sup>

But notwithstanding this seeming expression of unanimous resolve in favor of the old site for the new meeting-house, there were many still who could not be cordially reconciled to that location, or long disguise their opposition to it. And the number and influence of these dissentients appear to have been continually increasing; so as to cause embarrassment and delay about demolishing the old meeting-house, and proceeding to build the

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<sup>12</sup> Parish Records, Vol. I., p. 267.

<sup>13</sup> Parish Records, Vol. I., pp. 281, 282.



new one upon its site, agreeably to vote of the parish. And at length, at a meeting, October 10, 1748, it was voted by the parish, that "notwithstanding all their former votes, (they) would set their new Meeting House on the Knoll on the Training Field on the West side of the Country Road, as near the road as it can conveniently be set." It was also voted as a desire of the parish, that the Selectmen would call a town meeting, to see whether the town will let the parish set their new meeting-house in the place that was last determined on. And direction was given their Building Committee to provide all the materials that were yet wanting, and to proceed to frame their new meeting-house as soon as they could with conveniency.<sup>14</sup> Agreeably to the desire of the parish just expressed, a town meeting was called October 26, 1748, when the town granted the First Parish the liberty requested, to set their new meeting-house on the spot which they had recently decided upon; and also liberty "of digging the Meeting House Hill so called, that is on the Easterly side of the Country Road, so much of said hill as is sufficient to straighten the aforesaid Road."<sup>15</sup> From these votes, both of the town and parish it would seem, that the Common in Woburn Centre must have then exhibited a very different appearance from what it now does. Then, on the easterly side of the hill, east of the great road from Wilmington and Billerica to Medford, instead of abruptly terminating almost perpendicularly as it does now, must have sloped gradually toward the road; and on the Common west of the road, where it will be recollected by some that the third meeting-house of the First Parish stood, there must have been then a knoll or small rise of ground, instead of the level which we see there now.

The permanent settlement of the question, Where the proposed meeting-house should stand? seems to have given a fresh start to the enterprise of erecting it. While the minds of the people upon this subject were not made up, a whole year rolled away, and little or nothing was done at framing the timber which had been ordered and collected. But now that this question

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<sup>14</sup> Parish Records, Vol. I., pp. 284, 285.

<sup>15</sup> Town Records, Vol. VII., p. 543.

was set at rest, the work of framing went on so rapidly, that about the last of November, 1748, preparations were commenced for raising. To aid in this important operation, Mr. Zebadiah Wyman was appointed to procure tackle from Boston; and to ensure energy enough to make the tackle work briskly, (according to the notions of those days,) he was likewise directed to provide for the occasion two barrels of cider, twenty gallons of rum, and one-fourth cwt. of sugar to sweeten it with, at the expense of the parish: and Capt. Timothy Brooks was charged with the care of these stores. At the same meeting, also, and at successive adjournments, the parish voted, that the raising of their new meeting-house should be commenced on Thursday, December 1; that Tuesday, December 6, should be the raising day; and that a committee of three then chosen (viz: Capt. Timothy Brooks, Lieut. William Tay, and Mr. David Wyman) should provide a public entertainment on that day for Mr. Joshua Thornton, their master carpenter, and for all strangers attending the raising, that were not invited to private houses.<sup>16</sup>

The meeting-house was, doubtless, raised December 6, 1748, according to appointment. But the work of building and finishing it proceeded with a singular slowness; so that more than three years from that date had passed away before the house was fully completed. This delay appears to have been occasioned, at least in part, by the difficulty found in collecting a tax for the support of the two ministers which had been voted by the parish to raise in September, 1745, three months before the petition for the incorporation of the Third Parish was presented to the Court. It was not till March 22, 1749-50, above a twelvemonth after the raising, that a committee of three was chosen to draft a plan for seats and pews on the lower floor and in the side (end?) galleries; and more than two years had elapsed from that date when such a plan was presented at parish meeting, and accepted, January 22, 1751. At the same meeting, and at an adjournment of it, January 28, the parish voted not to raise any money on their seats and pew lots, but to

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<sup>16</sup> Parish Records, Vol. I., pp. 237, 238.

distribute them among those who had borne the expense of the building, after the following manner:—

A committee of five was chosen (*viz*: Dea. Samuel Eames, and Messrs. Nathan Richardson, Josiah Johnson, Isaac Snow and Edward Walker) to draw up a list of what sums each person had been assessed in the £5,000, Old Tenor, which had been raised for building the new meeting-house. The person that should appear from this list to have been assessed the most, in this amount of taxes for the meeting-house, upon his real and personal estate (allowing but one poll to each estate) should have the first choice of a pew lot, or of a seat, as he might prefer; the person taxed the next highest should have the second choice, and so each one should choose successively, till all the pew lots were taken up. Every person that chose a pew lot in preference to a seat was to build a pew upon it, under direction of the parish, at his own cost. He must also finish it, and discharge all his dues upon what he had been taxed towards defraying the charge of building the house, by the last of September 1751, or forfeit his lot to the use of the parish, unless the parish by vote should grant him further liberty.<sup>17</sup> Such was the plan adopted by your fathers for disposing of the accommodations of this their new house of worship. But many obstacles were found in the way of its speedy execution. It was not till July 9, 1751, that the committee for drafting the list of each one's taxes above referred to reported. Their list was immediately accepted, and a committee chosen to "line out the Seats and Pew Lotts"; and July 23 was appointed as the day for the people's choosing their several seats or pew lots, according to their respective taxes.<sup>18</sup> Only a few, however, made their choice on that day. Opportunities for doing it were given August 28, and at subsequent times. And when at last all the pew lots were selected, the owners were slow to build on them. Money was scarce; many appear to have been owing for their meeting-house assessments, and consequently were unwilling, under such circumstances, by finishing their pews as they were required to,

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<sup>17</sup> Parish Records, Vol. I., pp. 322, 323.

<sup>18</sup> Parish Records, Vol. I., pp. 329, 330.

to risk the forfeiture both of their lots and all the cost they had laid out upon them. And hence the parish was obliged repeatedly to lengthen out the time agreed upon, for delinquents to pay up their respective assessments, and complete their pews. And yet, by a parish vote passed so late as November 21, 1751, it appears that all the pews were not then built, and probably were not till January 22, following, 1752, the farthest day agreed upon by the parish to allow delinquents to fulfil what was required of them.<sup>19</sup>

This third house of worship for the First Parish in Woburn, as it was, after being enlarged, during Rev. Mr. Sherman's ministry, and when burnt in Rev. Mr. Chickering's, is doubtless recollected by some still living in the town. But as it was originally, when it was built, and before its enlargement, there can be none in Woburn now, who have any remembrance of it. Aided however, by the reminiscences of an aged and very intelligent citizen, now deceased,<sup>20</sup> concerning this house as it was in its latter days, I have been able to deduce from the records the following description of its original structure and accommodations, reserving for a future occasion some account of the enlargement that was afterwards made in it. It was an edifice fifty-eight feet long, forty-two feet wide, with twenty-four feet post, and painted without, or within, or both, by this token; that after it was finished, the parish voted to give £10, Old Tenor, to Mr. John White, in consideration of his hard bargain in painting their new meeting-house.<sup>21</sup> It stood on the east side of the common, in the centre of the town, having its east end close to the road from Wilmington to Medford, very nearly opposite to where the post-office is now kept (1867).<sup>21</sup> It had doors in its east and west ends, and in its south side. To the last named, which was its front door, it was proposed in the original plan, to erect a porch; but the parish, after having had the matter some time under consideration, decided by vote there should be none.<sup>22</sup>

The pulpit, with the deacon's seat in front of it, was on the north side, in the centre; and apparently without any other orna-

<sup>19</sup> Parish Records, Vol. I., pp. 339, 340.

<sup>20</sup> Mr. Bartholomew Richardson, Senr.

<sup>21</sup> Parish Records, Vol. I., pp. 346, 347. <sup>22</sup> August 17, 1749. Parish Records, Vol. I., p. 305.



ment or furniture than the cushion from the old meeting-house, for which shortly after was substituted a new one, bought on purpose for it by Capt. Timothy Brooks. The broad aisle leading to the pulpit was four feet wide; and diverging from this, near the front door, were two narrow aisles, one on each side, running by the wall pews all round the meeting-house, and meeting before the pulpit. In the body of the house, fronting the pulpit, were seven rows of high back seats, on each side of the broad aisle, whence they were entered; and back of these seven rows of seats, and at their east and west ends, was a single row of pews, which, from the circumstance of their compassing the seats on every side but in front, were called border pews. The wall pews were raised ten inches, and the border pews five inches, above the floor of the house.<sup>23</sup> And the walls of each pew throughout the house were to be built three feet and nine inches high; and ordered to be finished with balusters or "banesturs," as those little pillars at the top of the pews were then called, of which our fathers were universally so fond, as serving in their view for ornament at least, if not for use, in their houses of worship.<sup>23</sup> The Front Gallery contained four rows of seats running the whole length, except where crossed by an aisle in the centre, by which they were entered. The galleries at the east and west ends contained two rows of pews each, with a narrow aisle between each row. The whole number of pews on the floor was forty-three, viz: twenty-seven wall pews and sixteen border pews: and the pews in the east and west end galleries were twenty-six in number, viz: six front and seven back pews in each gallery. Pew No. 27, next to the pulpit on the west, was reserved for the Ministry; and accordingly was built by the parish, and appropriated by vote to Rev. Mr. Jackson, one of the ministers for the time being, so long as he should carry on the work of the ministry among them.<sup>24</sup> All the other pews above and below, sixty-eight in number, were appropriated to the individuals, who made choice of the lots on which they respectively stood,

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<sup>23</sup> Parish Records, Vol. I., p. 331.

<sup>24</sup> Parish Records, Vol. I., pp. 348, 349.

according to their taxes, and built on them according to order of the parish. Mr. Francis Johnson, for instance, having been taxed the highest toward the meeting-house, had the first choice of a pew lot therein; and he chose No. 2, the next but one east of the pulpit by the wall, and there built his pew, and the same was confirmed to him by the parish, and put upon record. So likewise the three foremost of the seven rows of seats on each side of the broad aisle, on the floor of the house, calculated to contain thirty persons in all; and the foremost row of seats on each side of the aisle in the front gallery, reckoned capable of accommodating eighteen persons, were the private property of those who made choice of them. The hindmost seat in the front gallery was the place assigned to the negroes to sit in. The remaining four rows of seats below, on each side of the broad aisle, and the two middle rows of seats in the front gallery, were common property, intended for the accommodation of any persons belonging to the parish, who had no particular pew or seat of their own. There was a singular exception to this remark however. For some reason now unknown, the parish voted at a certain meeting, that "Mr Josiah Parker (should) have his seat in the fourth seat on the lower floor of the "New Meeting House on the one side, and his wife (should) have her seat in the fourth seat on the other side."<sup>25</sup>

This meeting-house was probably finished about March 1752; for in a warrant for a parish meeting, March 24th, of that year, one article was, "To see whether the Parish (will) accept the New Meeting House at the hands of the Committee chosen by the said Parish to build the same; Provided their Accompts shall appear just and reasonable when adjusted." To build it, the parish had raised by tax £5,000, Old Tenor, in five equal assessments. A portion of this amount, however, appears from the records, either to have been never collected, or to have been diverted to some other purpose. The whole cost of the meeting-house (exclusively of the pews, which were built at the charge

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<sup>25</sup> Parish Records, Vol. I., pp. 331, 333.

of their owners) did not probably exceed £4,500, Old Tenor, a sum equal to £600, lawful money; or \$2,000 of our present currency. There is no evidence that it was ever dedicated by any special religious ceremony, or service on a week day, as is now customary. The Episcopal Churches of Rome, and of England hold to the holiness of particular *days and places*; and hence the religious observance by Christians of their communion of Christmas, Good Friday and Easter; and hence the consecration of their churches and burial grounds by certain solemn rites and ceremonies of religion. But our Puritan fathers acknowledged no holiness in *times or places* for which they had no express or clear warrant in the word of God; and hence they denied the religious obligation of observing Christmas, Saints' Days, or any other day as holy except the Sabbath, which they regarded as a permanent divine institution; and hence too, they called their houses of public worship not *churches* or *houses of the Lord*, but *meeting-houses*; houses for men to meet in, whether for the offices of religion, or for the transaction of municipal affairs. And accordingly, when they built a meeting-house, they set it apart for the worship of God, and the dispensation of His word and ordinances, by no other solemnity, than by the preaching of an appropriate discourse by their stated minister on the first Sabbath it was ready to be opened, after its completion.

The old meeting-house in Woburn, erected on the hill east of the common in 1672, continued to be used for town and parish meetings some time after the completion of the new one: but at a meeting May 20, 1754, the parish voted to give their old house to the town, provided that the town would erect a convenient town house, and [or ?] a house for their poor to work in, within two years time.<sup>26</sup> The town took this offer into consideration: and at a meeting in October of that year, they appointed Mr. Isaac Snow, Capt. Timothy Brooks, and Dea. Timothy Winn, as a committee to see what could be done with the old meeting-house advantageously to the town.<sup>27</sup> This committee seems to have reported at May meeting, 1755, when

<sup>26</sup> Parish Records, Vol. II., pp. 6, 7.

<sup>27</sup> Town Records, Vol. VIII., p. 133.

the town chose Mr. David Wyman, Capt. Joseph Richardson and Mr. Benjamin Richardson, as a committee to agree with some mechanic to take down the old meeting-house, and to erect out of the same, and on the same spot, a town house, thirty feet square, with twelve feet post, to be finished within six months.<sup>28</sup> In pursuance of this their commission, the committee contracted with Mr. Thomas Underwood, a carpenter then resident in the town, to do the work. According to engagement, Mr. Underwood took down the old building, (which, it will be recollected, was forty feet square,) and reared up out of its materials the walls of another, of the stipulated dimensions for a town house. But discouraged, not improbably, by the failure of the committee to furnish him with money from time to time, as he needed it, in consequence of the exhausted state of the treasury at that day, and the burdens of the French War which then pressed hard upon the country, Mr. Underwood did not go on to complete his undertaking with the spirit with which he commenced it. Impatient at his neglect, the town, at March meeting, 1757, two years afterwards, directed the building committee to sue his bond at May Court, unless he should finish the town house before. But the committee, thinking perhaps that nothing would be gained by such a suit, omitted, it seems, to prosecute as ordered. At May meeting, the following year, the town voted that their negligent committee should exert themselves, and urge the finishing of their town house as quickly as possible.<sup>29</sup> But without money, the mare can't be made to go by a town vote; and the town house still remained unfinished.

After waiting three years longer for the committee, to no purpose, the town determined to take the matter into their own hands, and see what they could do. At May meeting, 1761, they voted that they would go on and finish their town house as soon as it could possibly be done.<sup>30</sup> But now the town too was found lagging behind its own resolution. In about seven months after passing the last cited vote, so expressive of their haste and impatience for the completion of this favorite project,

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<sup>28</sup> Town Records, Vol. VIII., p. 157.

<sup>29</sup> Town Records, Vol. VIII., p. 236.

<sup>30</sup> Town Records, Vol. VIII., p. 314.



the inhabitants voted, December 22, 1761, not to proceed to finish their town house so called; but appointed a committee of three (viz: Mr. Benjamin Wyman, Capt. Benjamin Johnson and Lieut. Joshua Walker) to reckon and settle with the committee for building it, and with Mr. Underwood, the contractor, and then sell the building for the most it would fetch, for the benefit of the town.<sup>31</sup> And by way of amendment of this vote, the town, at an adjourned meeting, March 9, 1762, authorized their auditing committee to sell their town house for £4 (\$13.33), provided they could obtain an acquittance to the town from all further responsibilities in this affair.<sup>31</sup> Accordingly, this committee obtained a receipt of this description from Mr. Benjamin Richardson on behalf of himself, and the rest of the building committee, April 3, 1762. Whether Mr. Richardson took the town house, as it was called, in compensation for the labor and expense which had been bestowed on it by the building committee (of which he was one); or whether the auditing committee sold it to some one else, and satisfied him out of the proceeds of the sale, does not appear. The building continued to stand, though in a neglected condition, many years after. In the Revolutionary war, it was used as a place of deposit for fish and military stores.<sup>32</sup> Mr. Zebadiah Wyman used it for some time as a barn.<sup>32</sup> At length it was sold, it is believed, to Colonel Loammi Baldwin,<sup>32</sup> who took it down. The materials were dispersed; but one stick at least of its solid oak timber, cut down in the forest nearly two hundred years ago, was recently to be seen on the premises of the late Mr. William Fowle, deceased.

In 1752, about the time the new meeting-house was completed all Woburn was thrown into consternation by an event which affords melancholy proof of the virulence of the parties, into which the town was then divided; and of the iniquitous means to which some men, otherwise deemed respectable, will sometimes resort for the sake of accomplishing their party purposes, or gratifying their party feelings. A Mrs. Keziah Henshaw, (or Hincer, as the name was then commonly pronounced,) widow

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<sup>31</sup> Town Records, Vol. VIII., p. 333.

<sup>32</sup> Zebadiah Wyman, Jr., Esq. informant.

of Thomas Henshaw, who died in 1747, gave birth to a babe; and at the time of her travail, as was certified by the midwife under her hand, she laid it to Rev. Mr. Jackson. There is abundant reason for believing that this charge was welcome, though surprising news to Mr. Jackson's opposers, the friends of Rev. Mr. Fox. Two of them in particular, according to a tradition derived from a source of high respectability,<sup>33</sup> encouraged Mrs. Henshaw to go before a magistrate, and swear to the truth of the report which she had put in circulation; and that when she had taken an oath to this effect, they were seen by a friend of Mr. Jackson who was looking on, to put money into her lap. Even these persons, however, were too cautious, it seems, openly to assert the fact which that report was designed to prove. But Rev. Josiah Cotton, the acting minister of their party, with astonishing imprudence, did not hesitate to proclaim it abroad. Credulously relying upon the truth of the story certified by the midwife, he on a certain day, in the presence and hearing of divers persons, charged Mr. Jackson with being the father of the widow Henshaw's child; "and called him, a vile, wicked man, a fornicator, and unfit to be a minister."<sup>34</sup> For these and other opprobrious speeches, uttered that day against him, Mr. Jackson commenced an action against Mr. Cotton for a libel: alleging in his declaration, that by means of his false, scandalous words concerning him, he had been brought into disgrace and contempt; and that differences and quarrels had arisen in the church and congregation to which he ministered, by which he had been in great danger of being removed from his pastoral office: and laying his damages in consequence at £1,000.<sup>34</sup>

The case was brought before the Court of Common Pleas, at Concord, in September 1752. At this Court, Mr. Cotton, by his attorney, Benjamin Kent, Esq., of Charlestown, seems to have rested his defence, not upon any direct answer to what had been alleged against him in Mr. Jackson's Declaration, but upon the denial of some promise that Mr. Jackson had

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<sup>33</sup> Late Mr. Bartholomew Richardson, deceased.

<sup>34</sup> Records of Superior Court, Vol. from 1752 to 1753, leaf 205, p. 2d; and leaf 206.

averred that he (Mr. Cotton) had made him. But Mr. Jackson's attorney, Edmund Trowbridge, Esq., of Cambridge (afterwards Judge Trowbridge), maintained, that the defendant's plea was by no means a sufficient answer to his client's, the plaintiff's Declaration; and that he was not bound to reply to it. This likewise was the opinion of the Court. And, accordingly, they decided that Mr. Jackson should recover against Mr. Cotton "the sum of One Thousand Pounds lawful money, Damage;" and £1 16s. 6d. the costs of suit.<sup>35</sup> From this Judgment of the Inferior Court, Mr. Cotton appealed to the next Superior Court of the Province for this County, holden at Charlestown, 30 January, 1753. At this Court, after a full hearing of both parties the case was committed to a jury, who returned as their verdict, that "they (found) for the appellant Costs of Courts." And this verdict of the jury was affirmed by the Court, who decided that Mr. Cotton, the appellant, should recover Cost of Courts against Mr. Jackson, the appellee.<sup>34</sup>

By this decision, Mr. Jackson was thrown into a truly pitiable condition. The former judgment of the Inferior Court in his favor had now been reversed by the highest judicial tribunal in the land, whence there was no appeal. His friends, many of them, grew discouraged, and hung their heads. His enemies triumphed, and freely uttered their jeers and taunts against him. And to sum up his trials, a Council of churches and ministerial brethren was convened, either just at this time, or at a little earlier period of this difficulty, to consider and advise upon his affairs. The result of this Council, it is understood, was published at the time, and a Copy long preserved in the house of the late Capt. Ishmael Munroe, of Burlington, deceased. But several years before his death, this copy was lost; and as no other is known to exist, the object and doings of the Council referred to can only be conjectured. It seems probable, however, that it was called to consider the expediency of his dismissal from his pastoral charge: and it is very possible that Mr. Jackson alludes to the proceedings of this Council, where he speaks, in his

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<sup>35</sup> Records of Inferior Court of Common Pleas for Middlesex, from Dec. 1750, to May, 1754, pp. 303, 304.

Declaration, of the danger he had been in of removal from office. But whatever the precise time and object of assembling the Council were, the event shows, that in such a dark, suspicious case, they wisely judged it best to defer a decision against Mr. Jackson till time should throw further light upon his conduct, and prove his guilt beyond a reasonable doubt. But even supposing this Council to have resulted in such an expression of forbearance towards an accused suffering Christian brother and friend, yet its bare assembling on such an occasion, and upon such a subject of consideration, must have been severely trying to the feelings of Rev. Mr. Jackson,—must have cost him many a pang. Still, the good man under all these trials was wonderfully sustained. The consciousness of his innocence of the crime laid against him, and his acquittal from it by the All Seeing One, proved to him a rock of support that could not be shaken,—never failed him. Nor was he wholly destitute of earthly friends to encourage him. There were still a few at least among his people who were confident of the falseness and malignity of the accusation against him; and that this would one day be made to appear. And therefore, when his enemies would insultingly demand of them, “If Mr. Jackson be innocent, why is he so silent?” these would reply (tradition says) “Aye: but by and by the cry will be, ‘When will Mr. Jackson have done?’” meaning, When will he be satisfied with the revenge he will have it in his power to inflict upon his accusers? Cheered by the countenance and firmness of such friends, Mr. Jackson quietly persevered in the discharge of his ministerial duties; kept his mouth as with a bridle, and said little or nothing in his own defence. When one or another of his people would now and then come, and inquire of him, “Why, Mr. Jackson! Don’t you hear what people say of you? And do you say nothing? Won’t you offer a word in reply?” His answer commonly was, “Aye, all in good time.” And thus this injured minister encouraged himself in the Lord his God. He silently committed himself, in the way of well doing, to Him that judgeth righteously; confident that sooner or later, by one means or another, He would bring forth his righteousness as the light, and his just dealing as the noon



day. And in this assurance he was not disappointed. But little more than six months after the adverse decision of the Superior Court in his case had passed away, when God, in his providence, wonderfully interposed in his behalf, and by an occurrence, apparently the most trifling and accidental, wrought for him the expected deliverance.

It happened one day, that, as Mr. Jackson's negro (Cæsar, I will call him) was at work near his master's house, there came along another negro, the slave of one of Mr. Jackson's principal opposers (whom I will call Cuff); when the following conversation, substantially, ensued between them. "Good morning Cæsar," exclaimed Cuff, "Same to you," cried Cæsar: "Where you gwyng?" "Gwyng!" replied Cuff, "Gwyng to Widder Henshir's: got a letter: can you tell me where her lives?" "Got a letter?" answered Cæsar quickly; "Got a letter? O give me: I'll carry it to Massah Jackson: He'll point you where her lives." Cuff upon this, with all simplicity, yields up the letter, and away bounds Cæsar with it to his master. The letter may reasonably be supposed to have been unsealed; for what the need of seals to letters, carried by the hand of a poor ignorant African, that had never learnt the alphabet, and to whom English and Latin, Greek and Hebrew were all alike? Seeing it to be in this condition, Mr. Jackson ventured to open it; and finding that its contents furnished a complete exposure of the falsity of the charge against him, or a direct clew to such a discovery, he quickly copied it, and keeping the original for his own use, he returned the copy by Cæsar to Cuff; and Cuff, without perceiving or suspecting the change, took it from Cæsar, and quietly went on his way with it where he had been sent.

And now came Mr. Jackson's turn to triumph. He embraced the first opportunity to petition the Superior Court for a review of the case which had there been recently decided against him; concealing apparently, however, for the present, as far as was possible, the source of the information upon which his petition for a review was based. The Court granted his request; and at its next session for this County, which was at Charlestown, January 29, 1854, the same place where just a year before it

decided against him, it now came to a decision in his favor; and one which completely vindicated his good name, which by its former judgment came near being ruined. The following is a copy of that decision taken from the records of the Superior Court of this, then province, as it is there briefly expressed.

“ At a Court held at Charlestown, Jany. 29. 1754.

“ Edward Jackson of Woburn in the County of Middlesex, Clerk, Plaintiff, vs. Josiah Cotton of Woburn aforesaid, Clerk, Defendant. In a plea of Review of a plea of the Case &c<sup>ra</sup> as in the Writ (on file) bearing date of sixteenth day of August last at large appears: The Defendant altho’ solemnly called to come into Court, did not appear, but made Default, and the Plaintiff (the Defendant having paid him the Costs) Releases his Demand for Damages.” <sup>36</sup>

The “Writ on file” referred to in this Record, and which, doubtless, set forth Mr. Jackson’s reasons for asking a review of his case allowed him, has been repeatedly sought for on the files of the Court, but without success. The judgment of the Court, however, in their review (or rather, as it may be termed, the judgment of Mr. Cotton against himself) is a complete vindication of Mr. Jackson. Mr. Cotton, feeling he could not defend himself, ventures not now to appear before those judges, who, a year before, had decided in his favor. The Court declares Mr. Jackson entitled to damages. But Mr. Jackson generously relinquishes that demand to his new penitent suffering brother minister, he agreeing to pay the costs of Court. And this account of the matter agrees in the main with the popular tradition concerning the termination of this suit. That tradition is, When the Court was assembled and ready to attend to the Review petitioned for, Mr. Jackson put the letter above referred to into his Attorney’s hand. The lawyer shows it to its author, a leading man of the Fox party, then present, and asks him if he knew and would own his own hand? The writer blushed and was confounded. The cause being explained to Rev. Mr. Cotton, he ran out of the Court house, and

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<sup>36</sup> Records of Superior Court for Middlesex, from 1753-1754, leaf 122, p. 2d.

cried like a child at perceiving how deceived or mistaken he had been. And when it was signified in some way to Mr. Jackson that he had now his adversaries completely in his power, he rose and said, "May it please your Honors, I desire not the money of these men; I have no wish that they should be deprived of their liberty; all I ask of them is, that they stand up and confess before the Court, and this whole assembly, that the accusation they have laid against me, or helped to circulate, is a false accusation." Mr. Jackson's proposal was complied with. And while *they* left the Court house mortified and confounded, *he* left it with honor, and with the applause and sympathy of all good men. And thus were fulfilled, in a portion of his opposers at least, those words of the Psalmist, "He made a pit and digged it, and is fallen into the ditch which he made. His mischief shall return upon his own head, and his violent dealing shall come down upon his own pate."

Mr. Jackson did not long survive, to enjoy the vindication of his character, which the late decision of the Court had established to general satisfaction. During a large portion of the year preceding, anxiety of mind seems to have undermined his bodily health, so that a considerable portion of the time, the parish was obliged to hire preaching; and the remainder of the year, he was still in a languishing condition. The parish improved this opportunity to settle with him for their arrears, in paying up his salary for past years; and granted him a larger sum than usual for the year then current. The restoration of his credit, and the silencing of accusation against him, in consequence of the last judgment of the Court, seem to have somewhat raised his spirits, and renewed his usefulness. But before summer was gone, his health appears to have rapidly declined: so that in September the parish voted to hire preaching again for six weeks; but before that term was gone, their junior pastor was no more.

Rev. Mr. Edward Jackson was a son of Deacon Edward Jackson of Newton, and a grandson of Edward Jackson, who arrived in New England about 1642; was made freeman in 1645, and settled in Newton, then a part of Cambridge,

between 1642 and 1645. He was born at Newton, April 3, 1700; graduated at Harvard College, 1719, and was ordained at Woburn, as colleague pastor with Rev. Mr. John Fox, August 1, 1729. Through life, for anything that appears to the contrary, he was sound in doctrine, correct in morals, and his public labors and services were acceptable to his people, though he has left nothing in print, by which the style, matter and manner of his preaching can now be estimated. He lived unmarried; and died September 24, 1754, in the fifty-fifth year of his age, and the twenty-sixth year of his ministry. The parish provided for him at their cost a respectable funeral; and by their invitation, Rev. Messrs. Abbot of Charlestown, Appleton of Cambridge, Cook of Menotomy (now West Cambridge,) Morrill of Wilmington, Jones of Woburn Precinct, and Carnes of Stoneham, accompanied his remains, as bearers, to his grave.

In view of the lamentable transactions recorded in the latter part of this chapter, some, perhaps, may be ready to say that religion and morals were at a low ebb in Woburn at that day. But this would be a rash and unjust inference. It is not right to judge of a whole community by the misconduct of a few of its members. Doubtless, several of the prominent characters in the scenes we have been just surveying were persons astonishingly wanting both in principle and morals. But they were few in comparison with the great body of the people. Many there were, I doubt not, both of men and women then in Woburn, who looked with grief upon some of the things done in the midst of them, which have here been noticed; and could not help passing a judgment of entire disapprobation upon them in one way or another, and sometimes expressing it. But after all, they kept themselves aloof from the stripes, and reproaches, and false accusations which then abounded; and meddled with them as little as possible. They were diligent and exemplary in the discharge of the duties of their several occupations and callings in the week time: they were constant in the worship and service of God upon the Sabbath; they followed habitually the things which make for peace; in a word, they did justly and loved mercy in their intercourse with men; they walked humbly with



God ; and left a good example when they died for their children to imitate. Such persons, though in the midst of a crooked and perverse generation, are the excellent of the earth : they were in that day the salt of this town ; and for their sakes, I doubt not, a blessing has come down upon their posterity in different generations then unborn.











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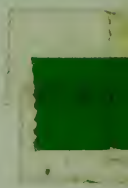


# THE HISTORY OF WOBURN, MIDDLESEX COUNTY, MASSACHUSETTS

From the Grant of Its Territory to Charlestown  
in 1640 to the Year 1860

By Samuel Sewall, M.A.

This typical town history covers all the usual subjects from the initial grant of the territory to Charlestown, through the initial settlements, the Indian Wars, the subsequent growth of the town, the Revolutionary War, etc. There are numerous references to residents, including some short biographical sketches in the main text. That is followed by several appendices which include the 1758 diary of Lt. Samuel Thompson of Woburn during the French War, a list of Woburn men who served in the Revolution, a list of early town and church officers (including grammar school teachers prior to 1771), and a section of genealogical notices of the earliest Woburn families. The families included in the genealogical appendix are those identified from the 1640 town orders, tax lists of 1645, 1646, 1666, and 1672, and from a list of men with rights in the common lands as of 1668. The author was a graduate of Harvard, and served as pastor of the church in nearby Burlington for twenty-eight years.



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